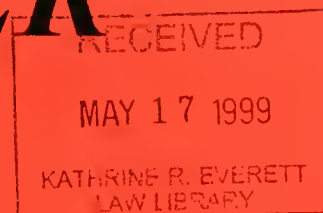


*P.F./KFO/2457.66/117*

# ***NORTH CAROLINA REGISTER***



**VOLUME 13 • ISSUE 22 • Pages 1812 - 1895**

**May 14, 1999**

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Housing Finance Agency  
Nursing, Board of  
Pharmacy, Board of  
State Personnel  
Transportation  
Rules Review Commission  
Contested Case Decisions

## **PUBLISHED BY**

*The Office of Administrative Hearings  
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Raleigh, NC 27611-7447  
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Fax (919) 733-3462*

For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

**Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

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# NORTH CAROLINA REGISTER



**Volume 13, Issue 22**  
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**May 14, 1999**

This issue contains documents officially filed  
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# NORTH CAROLINA ADMINISTRATIVE CODE CLASSIFICATION SYSTEM

*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics/Nutrition	17
13	Labor	Electrical Contractors	18
14A	Crime Control & Public Safety	Electrolysis	19
15A	Environment and Natural Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
18	Secretary of State	Landscape Architects	26
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**Note:** Title 21 contains the chapters of the various occupational licensing boards.



# NORTH CAROLINA REGISTER

## Publication Schedule

(April 1999 - January 2000)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT (either column A or column B)						TEMPORARY RULE	
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact			270 <sup>th</sup> day from issue date
					end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	
13:19	04/01/99	03/11/99	06/01/99	04/16/99	05/03/99	05/20/99	05/09/00	05/31/99	06/21/99	05/09/00	12/27/99
13:20	04/15/99	03/24/99	06/15/99	04/30/99	05/17/99	05/20/99	05/09/00	06/14/99	06/21/99	05/09/00	01/10/00
13:21	05/03/99	04/12/99	07/15/99	05/18/99	06/02/99	06/21/99	05/09/00	07/02/99	07/20/99	05/09/00	01/28/00
13:22	05/14/99	04/23/99	07/15/99	06/01/99	06/14/99	06/21/99	05/09/00	07/13/99	07/20/99	05/09/00	02/08/00
13:23	06/01/99	05/10/99	08/02/99	06/16/99	07/01/99	07/20/99	05/09/00	08/02/99	08/20/99	05/09/00	02/26/00
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14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00

## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

### GENERAL

- The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:
- (1) temporary rules;
- (2) notices of rule-making proceedings;
- (3) text of proposed rules;
- (4) text of permanent rules approved by the Rules Review Commission;
- (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
- (6) Executive Orders of the Governor;
- (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
- (8) orders of the Tax Review Board issued under G.S. 105-241.2; and
- (9) other information the Codifier of Rules determines to be helpful to the public.

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

### FILING DEADLINES

**ISSUE DATE:** The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

### NOTICE OF RULE-MAKING PROCEEDINGS

**END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:** This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

**EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:** The date of the next issue following the end of the comment period.

### NOTICE OF TEXT

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days after the date a notice of the hearing is published.

### END OF REQUIRED COMMENT PERIOD

(1) **RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

(2) **RULE WITH SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

**FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:** This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

**EXECUTIVE ORDER NO. 148  
GOVERNOR'S COMMISSION ON RESPONSIBLE  
FATHERHOOD**

WHEREAS, children need a good early childhood education, safe schools, dedicated teachers, and engaged and involved parents to succeed in life; and,

WHEREAS, almost one-third on North Carolina's children are growing up in families without fathers; and,

WHEREAS, children growing up in families without fathers are at great risk of failing school, taking drugs and getting in trouble with the law; and,

WHEREAS, many fathers struggle to give their children the level of parenting they deserve; and,

WHEREAS, this Administration has taken important steps in promoting responsible fatherhood by boosting child support enforcement, promoting programs aimed at fathers through Smart Start and by working to raise public awareness of the importance of fatherhood; and,

WHEREAS, North Carolina needs to do more to help fathers become and stay involved in the lives of their children; and,

WHEREAS, North Carolina has tremendous resources to be organized and mobilized to encourage and support responsible fatherhood.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Section 1. Governor's Commission on Responsible Fatherhood Established

The Governor's Commission on Responsible Fatherhood is hereby established. The Commission shall be located in the Department of Health and Human Services for organizational, budgetary, and administrative purposes.

The Commission shall consist of 15 members and shall reflect the geographic and cultural diversity of the state. Members shall serve at the pleasure of the Governor. The membership shall include:

- a. Three representatives from the faith community;
- b. Three representatives from the business community;
- c. Two representatives from the nonprofit community;
- d. One representative from local government;
- e. One representative from state government;
- f. One representative from the legal community; and,
- g. Four at-large members.

The Governor may also appoint non-voting ex officio members of the Commission as necessary.

Section 2. Chair, Vice Chair and Honorary Co-Chairs

The Governor shall appoint a Chair from the membership of the Commission. The Commission shall elect from among its

members a Vice Chair and other officers as are determined necessary. The Governor and the Secretary of the Department of Health and Human Services shall serve as honorary co-chairs.

Section 3. Duties and Responsibilities

The Commission shall study, analyze and provide information to the Governor on programs to help North Carolina fathers and makes legislative and administrative recommendation so that responsible fatherhood is promoted by:

- a. Developing a strategic plan to promote responsible fatherhood in North Carolina;
- b. Developing a recommendation for a workplace policy for state government that promotes responsible fatherhood;
- c. Overseeing and assisting the development of initiatives to help fathers with poor skills and limited education to gain the skills they need to support their children;
- d. Assuring that North Carolina's welfare reform efforts include strategies for moving non-custodial fathers into employment;
- e. Assessing state needs and ensuring that necessary services, policies and programs are in place;
- f. Researching and developing information on best practices in fatherhood programs and promoting their adoption statewide;
- g. Promoting public education and awareness;
- h. Providing or coordinating the provision of training, materials and assistance to state agencies; and,
- i. Addressing other related issues assigned to it by the Governor.

Section 4. Commission Meetings

The Commission shall meet at least twice a year. Meetings shall be conducted in compliance with North Carolina Open Meetings Law.

Section 5. Per Diem, Travel and Subsistence

Members of the Commission shall serve without compensation but, subject to the availability of funds, shall be eligible for per diem, travel and subsistence as provided by North Carolina law and policy.

Section 6. Reporting Requirements

The Commission shall submit an annual report including administrative and legislative recommendations to the Governor.

The Commission shall submit to the Governor, by October 31st of this year, its recommendations for a workplace policy for state government that promotes responsible fatherhood.

Section 7. Staff Support

Staff support shall be provided by the Department of Health and Human Services.

Section 8. Effective Date

This order is effectively immediately and shall remain in effect for a period of two years from the date of execution provided below.



Done in the Capital City of Raleigh, North Carolina, this the 12th day of April 1999.

**EXECUTIVE ORDER NO. 149  
CLEAN NC 2000 BOARD**

WHEREAS, North Carolina's beautiful scenery and clean environment are a source of great pride; and,

WHEREAS, a clean environment impacts economic development and travel and tourism; and,

WHEREAS, there is need to improve the appearance of our roadsides by removing litter, collapsing or unsafe structures, and other debris that create eyesores and harm the environment; and,

WHEREAS, citizens need to be educated about the harmful effects of litter on the environment; and,

WHEREAS, as we enter a new millennium there is a need for a statewide effort to ensure clean roadsides, rivers, lakes and streams; and,

WHEREAS, as we begin a new millennium, we will recommit ourselves to take personal responsibility to help eliminate litter stewards now and in generations to follow.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Section 1. Establishment

There is hereby established the Clean NC 2000 Board (the "Board").

Section 2. Membership

The Board shall consist of no more than thirty members. Twenty members shall be appointed by, and shall serve at the pleasure of, the Governor. These twenty members shall be drawn from all geographic areas of North Carolina's diverse population, and shall be representative of government, business and industry, community and civic organizations, and education. Of these twenty members, one member shall be a citizen under the age of twenty-one.

In addition to the twenty appointed members noted above, the following ten individuals, or their respective designees, shall serve as ex-officio members:

- a. Secretary of the North Carolina Department of Administration;
- b. Secretary of the North Carolina Department of Correction;
- c. Secretary of the North Carolina Department of Crime Control and Public Safety;
- d. Secretary of the North Carolina Department of Environment and Natural Resources;
- e. Secretary of the North Carolina Department of Cultural Resources;
- f. Secretary of the North Carolina Department of

Commerce;

- g. Commissioner of the North Carolina Department of Agriculture and Consumer Services;
- h. Superintendent of the North Carolina Department of Public Instruction;
- i. President of the North Carolina League of Municipalities; and,
- j. President of the North Carolina County Commissioners Association.

Section 3. Chair

The Governor shall serve as Honorary Chair of the Board. The co-chairs shall be appointed by the Governor.

Section 4. Duties

The Board shall have the following duties:

- a. Advise the Governor of the programs and resources needed to improve waste management in North Carolina.
- b. Promote voluntary stewardship of environmental resources by sparking grassroot support in every community to clean up North Carolina's rivers, lakes, streams and roadsides.
- c. Provide a forum for the discussion of issues concerning waste management.
- d. Provide a network to gather and share educational information on solid waste management.
- e. Develop and initiate activities within the State pertaining to solid waste management.
- f. Develop a Clean NC 2000 program by establishing a program representative in each county that will work with organizations such as Keep America Beautiful and others with a similar purpose.

Section 5. Clean NC 2000 Coordinator

There shall be a Clean NC 2000 Coordinator who shall work to carry out the purposes of this Executive Order, including the implementation of Board recommendations.

Section 6. Board Report

The Board shall present a final report to the Governor by November 30, 2000. This Executive Order shall terminate and the Board shall be dissolved when this final report is presented.

This Order is effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 19th day of April, 1999.



*This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.*

**STATE OF NORTH CAROLINA  
ENVIRONMENTAL MANAGEMENT COMMISSION  
POST OFFICE BOX 29535  
RALEIGH, NORTH CAROLINA 27626-0535**

**PUBLIC NOTICE OF INTENT TO ISSUE STATE GENERAL  
NPDES PERMITS**

Public notice of intent to issue or reissue expiring State National Pollutant Discharge Elimination System (NPDES) General Permits for Point Source Discharges of Stormwater associated with the following activities:

1. NPDES General Permit No. NCG140000 for stormwater and rinse water point source discharges associated with activities classified as establishments primarily engaged in the production of Ready Mixed Concrete, Standard Industrial Classification (SIC) 3273.
2. NPDES General Permit No. NCG160000 for stormwater point source discharges associated with activities classified as establishments primarily engaged in Asphalt Paving Mixtures and Blocks, SIC 2951.
3. NPDES General Permit No. NCG170000 for stormwater point source discharges associated with activities classified as establishments primarily engaged in Textile Mill Products, SIC Group 22.

On the basis of preliminary staff review and application of Article 21 of Chapter 143 of the General Statutes of North Carolina, Public Law 92-500 and other lawful standards and regulations, the North Carolina Environmental Management Commission proposes to reissue State NPDES General Permits for the discharges as described above.

INFORMATION: Copies of the draft NPDES General Permits and Fact Sheets concerning the draft Permits are available by writing or calling:

Vanessa Wiggins  
Water Quality Section  
N.C. Division of Water Quality  
P.O. Box 29535  
Raleigh, North Carolina 27626-0535

Telephone (919) 733-5083 ext. 520

Persons wishing to comment upon or object to the proposed determinations are invited to submit their comments in writing to the above address no later than June 14, 1999. All comments received prior to that date will be considered in the final determination regarding permit issuance. A public meeting may be held where the Director of the Division of Water Quality finds a significant degree of public interest in any proposed permit issuance.

The draft Permits, Fact Sheets and other information are on file at the Division of Water Quality, 512 N. Salisbury Street, Room 925, Archdale Building, Raleigh, North Carolina. They may be inspected during normal office hours. Copies of the information of file are available upon request and payment of the costs of reproduction. All such comments and requests regarding these matters should make reference to the draft Permit Numbers, NCG140000, NCG160000, or NCG170000.

Date: 4/23/99

/s/

Bradley Bennett, for  
Kerr T. Stevens, Director  
Division of Water Quality

## TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

## CHAPTER 26 - MEDICAL ASSISTANCE

The following list was submitted by DHHS/Division of Medical Assistance. OBRA '87 requires the state to publish the name of each hospital qualifying for a disproportionate share payment adjustment and the amount of the payment for each hospital.

DISPROPORTIONATE SHARE PAYMENTS FOR THE STATE FISCAL YEAR  
JULY 1, 1997 - JUNE 30, 1998

<u>PROVIDER NAME</u>	<u>NUMBER</u>	<u>TOTAL</u>
Northeast Medical Center	3400001	3,961,474.00
Memorial Mission Hospital	3400002	1,388,166.73
Northern Hospital of Surry County	3400003	2,602,358.28
Annie Penn Memorial Hospital	3400007	21,433.73
Scotland Memorial Hospital	3400008	84,991.18
Wayne Memorial Hospital	3400010	104,899.28
Forsyth Memorial Hospital	3400014	939,263.99
Rowan Memorial Hospital	3400015	60,121.73
C J Harris Community Hospital	3400016	33,529.26
Margaret R Pardee Memorial Hospital	3400017	592,640.00
Stokes Reynolds Hospital	3400019	167.30
Cleveland Memorial Hospital	3400021	2,374,733.00
Bladen County Hospital	3400022	1,366,098.50
Park Ridge Hospital	3400023	29,526.87
Sampson County Memorial Hospital	3400024	1,429,467.48
Haywood County Memorial Hospital	3400025	679,664.00
Lenoir Memorial Hospital	3400027	3,236,945.76
Cape Fear Valley Hospital	3400028	14,209,435.01
Duke University Medical Center	3400030	6,346,028.63
Gaston Memorial Hospital	3400032	6,658,443.38
Richmond Memorial Hospital	3400035	46,102.22
Beaufort County Hospital	3400038	852,448.00
Pitt County Memorial Hospital	3400040	11,833,936.58
Caldwell Memorial Hospital	3400041	28,450.75
Onslow Memorial Hospital	3400042	4,744,996.31
Alleghany County Memorial Hospital	3400044	29.00
N.C. Baptist Hospital	3400047	3,833,846.15
Watauga Memorial Hospital	3400051	1,294,407.53
Valdese General Hospital	3400055	763,052.87
Morehead Memorial Hospital	3400060	4,617.54
UNC Hospitals	3400061	8,795,054.45
Wilkes Regional	3400064	886,263.57
Chowan Hospital	3400065	1,056,968.52
Columbus County Hospital	3400068	1,260,599.15
Wake Medical System	3400069	4,907,176.84
Alamance Regional Hospital	3400070	663.00
Betsy Johnson Memorial	3400071	36,464.71
Grace Hospital	3400075	38,487.00
Anson County Hospital	3400084	471,574.07
Community General	3400085	27,233.45
McDowell Hospital	3400087	20,538.91
Transylvania Hospital	3400088	72,738.62
Pungo District Hospital	3400089	11,029.42
Johnston Memorial Hospital	3400090	1,962,106.71
Moses Cone Memorial Hospital	3400091	1,897,247.03

**IN ADDITION**

Pender Memorial Hospital	3400093	1,304,844.00
Mercy Hospital Incorporated	3400098	2,245,734.00
Roanoke Chowan Hospital	3400099	1,232,834.85
Bertie Memorial Hospital	3400101	20,678.00
Heritage Hospital	3400107	8,384.38
Albemarle Hospital	3400109	3,204,285.00
Carolinas Medical Center	3400113	37,183,967.66
Firsthealth Moore Regional	3400115	335.80
Duplin General Hospital	3400120	2,201,340.06
Dosher Memorial Hospital	3400121	684,899.00
Good Hope Hospital	3400124	4,883.18
Wilson Memorial Hospital	3400126	118,925.72
Granville Medical Center	3400127	508,174.03
Union Memorial	3400130	1,306,825.87
Craven Regional	3400131	5,058,354.04
Maria Parham Hospital	3400132	61,382.12
Martin General Hospital	3400133	681,053.78
Broughton Hospital	3400137	2,915.92
Dorothea Dix	3400138	5,355.00
New Hanover Memorial Hospital	3400141	11,253,269.62
Carteret General	3400142	1,150,800.00
Catawba Memorial Hospital	3400143	6,966,812.00
Lincoln County	3400145	2,485,384.95
Nash General Hospital	3400147	134,400.27
Halifax Memorial Hospital	3400151	90,250.11
Durham County General	3400155	10,552,523.00
Brunswick County Hospital	3400158	25,268.24
Murphy Medical Center	3400160	16,829.29
University Memorial Hospital	3400166	2,466,793.00
Amos Cottage Rehabilitation Hospital	3400170	493,680.44
Youth Care Psychiatric	3400501	14,280.82
Charlotte Rehabilitation	3402003	436,883.16
Thoms Rehabilitation	3403025	23,867.89
Thoms Rehabilitation	3403026	45,420.13
Dorothea Dix	3404001	37,328,438.91
Broughton	3404002	29,154,752.92
Cherry	3404003	33,328,155.13
John Umstead	3404004	40,267,708.35
Charter Hospital/Winston Salem	3404006	16,437.06
Cumberland	3404010	11,264.07
Forsyth Stokes	3404013	6,620.06
Charter Hospital of Greensboro	3404015	33,698.44
HSA Brynn Marr	3404016	23,846.71
Presbyterian University	3900164	662.30
St Eugene Medical Center	4200005	6,916.61
Richland Memorial Hospital	4200018	8,508.80
Elliott White Spring	4200036	36,086.19
Marion County	4200055	14,383.00
Loris Community	4200064	17,499.72
University of Tennessee Memorial Hospital	4400015	1,709.54
J.C.M.C.H. Johnson City Medical Center	4400063	9,166.72
East Tennessee Children's Hospital	4400188	259.90
Sentara Norfolk General Hospital	4900007	14,131.51
Depaul Medical Center	4900011	199.40
Halifax Regional Hospital	4900013	80.00
Maryview Hospital	4900017	5,291.58
Louis Obici	4900044	6,140.80
Sentara Norfolk General Hospital	4900046	1,953.91

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*IN ADDITION*

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Sentara Hampton Hospital	4900093	4,108.47
Children's Hospital of the Kings Daughters	4900096	36,004.33
Community Memorial Hospital	4900098	407.10
Sentara Bayside	4900119	611.10
Cumberland, A Hospital for	4903300	35,913.77
DHR Division of Vocational Rehabilitation	7700273	<u>5,403,377.84</u>
Grand Total		\$338,911,391.04



*A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**

**CHAPTER 7 - COASTAL MANAGEMENT**

**SUBCHAPTER 7H - STATE GUIDELINES FOR  
AREAS OF ENVIRONMENTAL CONCERN**

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Coastal Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 7H .0200. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 113A-100

**Statement of the Subject Matter:** In 1998, the NC General Assembly adopted HB 1059, establishing a permit process for development along urban waterfronts within the estuarine shoreline area of environmental concern. This legislation will expire in July 2000. The Coastal Resources Commission would like to adopt rules with specific development standards for cultural and historic urban waterfront areas. The rules would not become effective until the expiration of G.S. 113A-120.2.

**Reason for Proposed Action:** In July 1997, the Coastal Resources Commission adopted a temporary rule to establish guidelines for development along urban waterfronts. The General Assembly adopted HB 1059, which nullified the CRC's actions. Since HB 1059 (G.S. 113A-120.2) is set to expire in July 2000, the CRC would like to adopt rules for development along cultural and historic urban waterfronts.

**Comment Procedures:** Any comments should be forwarded to Mike Lopazanski, Division of Coastal Management, PO Box 27687, Raleigh, NC 27611-7687.

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**CHAPTER 7 - COASTAL MANAGEMENT**

**SUBCHAPTER 7M - GENERAL POLICY  
GUIDELINES  
FOR THE COASTAL AREA**

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Coastal Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 7M .0307. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 113A-134.1 et. seq.

**Statement of the Subject Matter:** The CRC will develop amendments to the Public Beach and Coastal Waterfront Access Program's funding eligibility criteria to address awarding of funds for the replacement of aging facilities at previously funded shorefront access sites.

**Reason for Proposed Action:** There have been concerns raised by local governments regarding the ability to apply for grant funds to repair or replace aging access facilities. The rules currently provide no guidance or criteria regarding the replacement of aging, previously funded facilities.

**Comment Procedures:** Any comments should be forwarded to Mike Lopazanski, Division of Coastal Management, PO Box 27687, Raleigh, NC 27611-7687.

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**CHAPTER 19 - HEALTH: EPIDEMIOLOGY**

**Notice of Rule-making Proceedings** is hereby given by the Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 19A .0401, .0404, .0406, .0502. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-152; 130A-153

**Statement of the Subject Matter:** Reorganize and simplify the rules concerning vaccines and diseases; refer to the ACIP/MMR as the source document for contraindications to immunizations; change references from day to child care; strengthen references to the private provider

contract/agreement.

MEDICOLEGAL EXAMINATION

**Reason for Proposed Action:**

**15A NCAC 19A .0401** - This Rule will be filed as a temporary rule with an effective date of May 2, 1999. The Commission for Health Services will adopt this rule at their May 19, 1999 meeting.

Paragraphs were moved for the purposes of organization and simplification, include all rules concerning each vaccine in the same section, and locate all information about a vaccine requirement together.

For polio vaccine, the strikeouts represent the inclusion of both oral (OPV) and injectable (IPV) polio to comply with medical literature recently reviewed by agency staff. The Centers for Disease Control and Prevention (CDC) state that each year, approximately 8 cases of vaccine associated paralytic polio (VAPP) are due to administration of oral polio vaccine. The sequential schedule of two IPV followed by two OPV will reduce the threat of VAPP to North Carolina's citizens.

Changed "by" to "before" to be consistent in several places. The Advisory committee on Immunization Practices (ACIP) is referenced in this rule so that North Carolina recommendations can clearly reflect changes in the recommended schedule without being in violation of North Carolina Administrative Code.

**15A NCAC 19A .0404** - The ACIP medical exemption recommendations/language changes periodically as research indicates. Referring physicians to the most current ACIP is the most accurate and helpful method known in determining a true contraindication. Text outlining all contraindications was removed and references to ACIP were added.

**15A NCAC 19A .0406** - In (a)(2), "daycare" was changed to "childcare" to be consistent with proper terminology associated with the centers that provide care for children and with G.S. 130A-155. In (b)(6) "number" was added to clarify the intent that dose number may be released due to its importance in determining a child's immunization status and in (7), "local" was added to clarify that this reference is for the local health department.

**15A NCAC 19A .0502** - As the vaccine program changes, the providers' agreement may need to change. The ten items listed in .0502 (c) of this section should remain constant, however, other requirements may change. "At a minimum" was added to release the program from making a rule change every time an eligibility requirement is added to the provider's agreement.

**Comment Procedures:** Comments, statements, data and other information may be submitted in writing within 60 days after the date of publication of this issue in the North Carolina Register. Copies of the proposed rules and information packages may be obtained by contacting the Immunization Program at (919) 715-6764. Written comments may be submitted to Barbara Laymon, Immunization Program, Women's and Children's Health, PO Box 19597, Raleigh, NC.

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CHAPTER 23 - DIVISION OF POSTMORTEM

SECTION .0200 - FEES

**Notice of Rule-making Proceedings** is hereby given by the Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:**

15A NCAC 23 .0201 - .0202, .0204. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-381; 130A-389

**Statement of the Subject Matter:** Medical Examiner Fee increases from \$50.00 to \$75.00. Pathology Fee increases from \$400.00 to \$1,000.00 (due to recent legislative change), relaxes penalty for late fee, and adds "or fatal injury" as a criteria for payment responsibility. Hospital Fee increase from \$20.00 to \$40.00.

**Reason for Proposed Action:**

**15A NCAC 23 .0201** - The purpose for this proposed action is to conform to G.S. 130A-387, which establishes the fee amount for a medical examiner investigation. This action references G.S. 130A-387 in lieu of stating the exact amount of the fee. In addition, the rule is amended to insert the phrase "or fatal injury." This change makes the rule consistent with the 1991 statutory language that states that the State shall pay the fee unless the deceased is a resident of the county in which the death or fatal injury occurred, in which case that county shall pay the fee.

**15A NCAC 23 .0202** - The purpose for this proposed action is to amend rule 15A NCAC 23 .0202 to cite G.S. 130A-389, which establishes the fee amount for a medical examiner ordered autopsy, in lieu of stating the exact amount of the fee. Also, at the same time the fee was increased (1997-98 Legislative Session), revision of the fee reduction schedule for late autopsy reports was taken into consideration. This rule amendment changes the time period for a fee reduction for late autopsy reports from 60/120 days to 180 days "after the date of the autopsy." The change to the fee reduction schedule allows a less burdensome time and monetary constraint for pathologists to submit reports. Finally, the rule is amended to insert the phrase "or fatal injury" to make the rule consistent with the 1991 statutory language. The statute states that the State shall pay the autopsy fee unless the deceased is a resident of the county in which the death or fatal injury occurred, in which case the county shall pay the fee.

**15A NCAC 23 .0204** - The purpose for this proposed action is to amend rule 15A NCAC 23 .0204 to change the fee the state pays to hospitals for body storage in a medical examiner case from \$20 to \$40 dollars to make the rule consistent with internal practice since 1991.



**Comment Procedures:** Comments, statements, data and other information may be submitted in writing within 60 days after the date of publication of this issue in the North Carolina Register. Copies of the proposed rules and information packages may be obtained by contacting the Office of the Chief Medical Examiner (OCME) at (919) 966-2253. Written comments may be submitted to John D. Butts, OCME, Campus Box 7580, Chapel Hill, NC 27599-7580.

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## CHAPTER 23 - DIVISION OF POSTMORTEM MEDICOLEGAL EXAMINATION

### SECTION .0500 - MEDICAL EXAMINER'S INVESTIGATION

**Notice of Rule-making Proceedings** is hereby given by the Department of Health and Human Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 23 .0501. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-388; 130A-393

**Statement of the Subject Matter:** Fee for Medical Examiner certification before cremation or burial at sea increases from \$35.00 to \$50.00.

**Reason for Proposed Action:** Persons requesting certification from a medical examiner prior to cremation or burial at sea must pay the medical examiner a fee for the required investigation. The fee has increased by agency policy from \$35.00 to \$50.00 (for adequate reimbursement of medical examiner expenses).

**Comment Procedures:** Comments, statements, data and other information may be submitted in writing within 60 days after the date of publication of this issue in the North Carolina Register. Copies of the proposed rules and information packages may be obtained by contacting the Office of the Chief Medical Examiner (OCME) at (919) 966-2253. Written comments may be submitted to John D. Butts, MD, OCME, Campus Box 7580, Chapel Hill, NC 27599-7580.

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## CHAPTER 26 - INFORMATION SERVICES

**Notice of Rule-making Proceedings** is hereby given by the Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the

Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 26C. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 130A-131

**Statement of the Subject Matter:** This new chapter establishes the Birth Defects Monitoring Program within the State Center for Health Statistics, and directs the Commission for Health Services to adopt rules pertaining to the release of confidential information from the monitoring program for scientific research. This chapter covers the major components of the design and operation of the Birth Defects Monitoring Program.

**Reason for Proposed Action:** The purpose of this rulemaking is to establish the Birth Defects Monitoring Program within the State Center for Health Statistics (SCHS). SCHS will oversee, compile, tabulate, and publish information related to the incidence and prevention of birth defects. The Program involves confidential information insofar as the identity of the individual patient is concerned. This information will not be considered public record open to inspection. Access to the information will be limited to Program staff authorized by the SCHS Director.

**Comment Procedures:** Comments, statements, data, and other information may be submitted in writing within 60 days after the date of publication of this issue of the North Carolina Register. Copies of the proposed rules and information package may be obtained by contacting the Technical Assistance and Certification Group at (919) 733-0026. Written comments may be submitted to Dr. Robert Meyer, State Center for Health Statistics, Division of Public Health.

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 1 - NORTH CAROLINA ACUPUNCTURE LICENSING BOARD

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Acupuncture Licensing Board in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 21 NCAC 1 .0101. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 90-454

**Statement of the Subject Matter:** *This Rule will contain additional procedures allowing for licensure for those who do not meet the current qualifications.*

**Reason for Proposed Action:** *To present additional qualifications for licensure.*

**Comment Procedures:** *All written comments must be submitted to Diana Mills, North Carolina Acupuncture Licensing Board, 893 U.S. Highway 70 West, Garner, NC 27629-2597.*

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## CHAPTER 12 - LICENSING BOARD FOR GENERAL CONTRACTORS

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Licensing Board for General Contractors in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 21 NCAC 12 .0202, .0204-.0205, .0307, .0402, .0405, .0410, .0901, .0907. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 87-1; 87-10; 87-15.5; 87-15.6; 87-15.7; 87-15.8

**Statement of the Subject Matter:** Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Licensing Board for General Contractors (Board) will consider adopting rules, repealing rules, or amending rules addressing licensure classification, qualifying individuals, application for licensure, notice of approval of application, content of the examination, examination schedules, reexamination after failing an examination, Homeowners Recovery Fund definitions, Homeowners Recovery Fund Hearings, and licensure eligibility.

**Reason for Proposed Action:** To amend the S (Metal Erection) classification; to clarify requirements when the qualifying party ceases to be connected to the licensee; to require applications to be accompanied by a certificate of assumed name, when appropriate; to repeal rules requiring Board to notify applicant of the approval of his application within two weeks of the examination; to amend the rule regarding the subject matter of examination; to amend the rule regarding examination schedules; to amend the rule regarding when a person who has failed an examination may be reexamined; to amend the definition of "owner or former owner" under the Homeowners Recovery Fund; to amend the service requirements for a notice of Homeowners Recovery Fund hearing; to amend the licensure rule to allow applicants to show financial responsibility by working capital or by obtaining a bond; and to increase the working capital requirements for a

limited license.

**Comment Procedures:** Written comments may be submitted to Mark D. Selph, N.C. Licensing Board for General Contractors, P O Box 17187, Raleigh, NC 27619.

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## CHAPTER 36 - BOARD OF NURSING

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Board of Nursing in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 21 NCAC 36 .0213. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 90-171.31; 90-171.33; 90-171.38

**Statement of the Subject Matter:** Describes how an applicant who fails an examination may establish eligibility to retake a subsequent examination.

**Reason for Proposed Action:** The National Council of State Boards of Nursing have changed their policy on the frequency of offering applicants the opportunity to re-take the examination which leads to licensure as a registered nurse or licensed practical nurse.

**Comment Procedures:** Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, North Carolina Board of Nursing, PO Box 2129, Raleigh, NC 27602-2129.

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## CHAPTER 46 - BOARD OF PHARMACY

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Board of Pharmacy in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 21 NCAC 46 .1317, .1413-.1414, .1601, .1810, .1813-.1814. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 90-85.3; 90-85.6; 90-85.8; 90-85.13; 90-85.14; 90-85.15; 90-85.21; 90-85.24; 90-85.32; 90-85.33; 90-85.34; 90-85.38; 90-85.40



**Statement of the Subject Matter:** Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Pharmacy (Board) will consider adopting rules, repealing rules, or amending rules addressing compounding, drug distribution and control in a health care facility pharmacy and when the pharmacist is absent, certification for disease state management, assistant pharmacists, collaborative practice, maximum ratio of technicians to pharmacists in a pharmacy, offsite filling of prescription orders, automated dispensing or drug supply devices, and electronic transmission of prescription orders.

**Reason for Proposed Action:**

1. To delete requirements for compounding.
2. To revise requirements for automated dispensing or drug supply devices in a health care facility pharmacy and other permitted pharmacy.
3. To review requirements for drug distribution and control in a health care facility pharmacy when the pharmacist is absent.
4. To set out prerequisites for examination for certification for disease state management.
5. To set out requirements for licensure as an assistant pharmacist.
6. To set out guidelines for pharmacists for collaboration practice.
7. To change the maximum ratio of technicians to pharmacists in a pharmacy.
8. To set out procedures for offsite filling of prescription orders.
9. To revise requirements for electronic transmission of prescription orders.

**Comment Procedures:** Written comments may be submitted on the subject matter of the proposed rule-making to David R.

Work, Executive Director, North Carolina Board of Pharmacy,  
PO Box 459, Carrboro, NC 27510-0459.

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**TITLE 24 - INDEPENDENT AGENCIES**

**CHAPTER 1 - N.C. HOUSING FINANCE AGENCY**

**Notice of Rule-making Proceedings** is hereby given by the North Carolina Housing Finance Agency in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 24 NCAC 1H .0103. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 122A-5; 122A-5.1

**Statement of the Subject Matter:** Calculation methods for determining income eligibility to receive assistance for the Multifamily Subsidized Rental Program.

**Reason for Proposed Action:** Update section to reflect the normal changes in the housing market and to aid in the ease of understanding the methodology used in determinations of eligibility.

**Comment Procedures:** Comments should be sent to Steve Culnon, North Carolina Housing Finance Agency, PO Box 28066, Raleigh, NC 27611-8066.

*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

## TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Department of Health and Human Services intends to amend the rules cited as 10 NCAC 1B .0418-.0420. Notice of Rule-making Proceedings was published in the Register on March 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted from 2:00 p.m. to 4:00 p.m. on June 2, 1999 at 616 Oberlin Road, Raleigh, NC 27605.

**Reason for Proposed Action:** Revisions are necessary due to recent changes to G.S. 143-6.1, Office of the State Auditor's Audit Advisory #2, and OMB Circular A-133.

**Comment Procedures:** Comments may be presented anytime before or at the public hearing or orally at the hearing. Time limits for oral remarks may be imposed by the chairman of the hearing committee. Any person may request copies of these Rules by calling or writing to Gary Fuquay, DHHS Controller's Office, 616 Oberlin Road, Raleigh, NC 27605, phone 919/733-0169. Comments must be submitted before June 15, 1999.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

### SUBCHAPTER 1B - PROCEDURE

#### SECTION .0400 - AUDITING PROCEDURES

##### .0418 SINGLE AUDITS OF LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES

(a) Independent auditors retained to conduct single audits for local governments or public authorities may be notified by the Department of Health and Human Services (hereinafter "the Department") ~~Human Resources Department~~ or the Local Government Commission of problem areas that the audit should address.

(b) The Local Government Commission has the responsibility of reviewing single audits for compliance with OMB Circular ~~A-133~~ A-128 and accepting those single audits for the ~~State~~ state that have been determined to comply with ~~Federal~~ federal and ~~State~~ state requirements. Whenever a single audit is performed on a local government or public authority that received funds from the Department during the fiscal year audited, the Local Government Commission shall provide the Department with a

copy of the audit report(s).

(e) ~~Upon receipt of the audit report from the Local Government Commission, the Department shall send a letter to the local government or public authority requesting the submission of a corrective action plan which addresses each finding and recommendation contained in the auditor's report on compliance and internal control and schedule of questioned cost. The corrective action plan shall include the following information:~~

- (1) ~~Specific concurrence or non-concurrence with each finding, recommendation or questioned cost;~~
- (2) ~~If the local government or public authority agrees with a finding, recommendation or questioned cost, a description of the specific corrective actions taken or planned, including time schedules, to settle the finding or implement the recommendation; and~~
- (3) ~~If the local government or public authority disagrees with a finding, recommendation or questioned cost, the specific reason and legal or regulatory basis for the disagreement.~~

~~The local government or public authority shall submit the corrective action plan to the Controller of the Department within 30 days after receipt of the request.~~

(c)(d) ~~Following receipt of the audit report corrective action plan by the Controller of the Department, relevant portions of the report audit report and corrective action plan shall be sent to the Controller's Office employee chief fiscal officer of each division who is assigned division responsibility responsible to the for administration of the programs affected for coordination of a departmental division position on the corrective actions planned or taken.~~

(d)(e) The Department or any affected division of the Department may request any additional information deemed necessary for clarification of an audit finding, recommendation, questioned cost or the corrective action plan. The local government or public authority shall provide the information to the requesting official within 30 days after the receipt of the request. If additional information or clarification from the independent auditor is requested, the local government or public authority shall direct its auditor to provide the information requested to the requesting official within the 30 day response time.

(e)(f) ~~If the Department chief fiscal officer of an affected division has reason to believe that due professional care was not used in conducting a single audit or if a local government or public authority or their independent auditor is unwilling or unable to provide clarification or additional information requested by an official of the Department, a written request for review of the auditor's work papers may be filed with the Office of the State Auditor by the Controller Controller of the Department. The Controller shall make or arrange for any~~



review of the auditor's work papers deemed necessary for timely resolution of single audit findings, recommendations, or questioned cost.

(f)(g) Following receipt of any additional information requested, the Controller's Office ~~chief fiscal officer of an affected division~~ shall prepare a recommendation to accept or reject the corrective action plan for each fiscal compliance finding, recommendation or questioned cost. The Director of an affected division shall prepare a recommendation to accept or reject the corrective action plan for each program-specific compliance finding or recommendation. If the corrective action plan is rejected, the reasons for the rejection and an acceptable corrective action will be specified. These recommendations will be forwarded to the Controller's Office Audit Resolution Coordinator for Governmental Audits ~~Controller of the Department~~ for coordination of a Departmental position on the corrective action plan.

(g)(h) The Secretary of the Department shall provide the local government or public authority with a written determination which accepts or rejects the corrective action plan for each audit finding, recommendation or questioned cost that pertains to or otherwise affects a program of the Department. If the corrective action plan is rejected the reasons for the rejection and an acceptable corrective action will be specified in the determination letter. If the corrective action plan indicates that the proposed corrective action for nonmonetary findings has not been implemented, the determination on all nonmonetary findings shall specify the time by which the local government or public authority shall implement the corrective action if different from the time proposed in the corrective action plan. The determination on all questioned costs or other charges to the Department shall state whether the cost or other charge is allowable or unallowable for reimbursement to the local government or public authority under applicable laws and regulations. If a cost or other charge to the Department is determined to be unallowable for reimbursement, the determination letter shall require full monetary repayment to the Department within 60 days of the date of the determination letter. The amount of any cost or other charge determined to be unallowable shall constitute a debt due the State of North Carolina until repayment in full is received by the Department.

(h)(i) A determination by the Secretary of the Department required under Paragraph (g) (h) of this Rule shall become final unless timely notice of appeal is filed in accordance with G.S. 150B-23.

(i)(j) Upon timely notice of appeal filed in accordance with G.S. 150B-23 monetary repayment or implementation of a corrective action required under Paragraph (g) (h) of this Rule will be suspended only for individual determinations or parts of a determination specifically disputed in the appeal. Interest may be charged under the conditions specified under Paragraph (j) (k) of this Rule on the amount of any cost or other charge determined to be unallowable under Paragraph (g) (h) of this Rule.

(j)(k) Except where otherwise provided by statutes or regulations, Federal agencies are required to charge interest on overdue amounts in accordance with the Federal Claims Collection Standards (4 CFR Ch. II). The date from which

interest is computed is not extended by litigation or the filing of any form of appeal. If a Federal agency charges the Department interest on the Federal share of an overdue amount from a local government or public authority, the Department shall charge the interest to the local government or public authority.

(k)(l) If a local government or public authority fails to make repayment of an amount due to the Department or obtain Department approval of a deferred payment plan by the "due date" specified in Paragraph (g) (h) of this Rule, the Department shall offset the amount of the disallowance or any portion thereof remaining unpaid and any interest due from subsequent reimbursements or other amounts due the local government or public authority until the amount due is fully recovered.

(l)(m) A local government or public authority may propose a plan for repayment of amounts determined to be unallowable on an installment basis. The local government or public authority must certify that it is unable to make repayment by the "due date" specified in Paragraph (g) (h) of this Rule and that commercial financing can not be obtained. Repayment of the Federal federal share of amounts determined to be unallowable will not be allowed on an installment basis unless the Federal grantor agency approves of the installment plan or otherwise allows the Department the same installment repayment terms. Interest may be charged as specified under Paragraph (j) (k) of this Rule while awaiting Federal approval of an installment plan or on installment payments.

(m)(n) If a local government or public authority fails to submit the corrective action plan required under Paragraph (e) of this Rule or additional information requested under Paragraph (d) (e) of this Rule or fails to implement corrective action within the time frame established by the Secretary under Paragraph (g) (h) of this Rule, the Secretary of the Department or the Director of the requesting division may suspend all or any portion of the administrative and indirect cost funding administered by the Department until such time as the required corrective action plan or additional information is submitted as requested. Alternatively, the Secretary of the Department may issue a unilateral determination on the audit findings, recommendations, and questioned cost requiring any corrective action and repayment of questioned cost deemed necessary for compliance with the laws and regulations governing assistance programs affected.

Authority G. S. 143B-10(j); 143B-139.1; 143B-139.3; 159-34.

#### .0419 AUDITS OF HOSPITALS, NONPROFITS, HIGHER EDUCATION AGENCIES

(a) Public and private hospitals, public and private institutions of higher education and quasi-public and private nonprofit organizations [recipient organization(s)] which receive, use, or expend State or Federal funds must comply with the requirements of G. S. 143-6.1, Office of the State Auditor's Audit Advisory #2 and OMB Circular A-133 as applicable. These regulations detail reporting and other requirements that recipient organizations must meet in order to receive State and/or Federal funds. Depending on the amount of State and/or Federal funds received, used, or expended, the recipient organization(s)

may be required to have either an audit made or a sworn accounting of receipts and expenditures. ~~Public and private hospitals, public and private institutions of higher education and quasi-public and private nonprofit organizations [recipient organization(s)] which receive state or federal funds of twenty-five thousand dollars (\$25,000) or more from the Department of Human Resources (Department) in the form of grants, cost reimbursement contracts or other forms of financial assistance agreements shall have an audit made as a condition of receipt of funds for each fiscal year of the recipient organization in which financial assistance funds are received. The audit shall be performed in accordance with OMB Circular A-110, Attachment F.2.h, until OMB Circular A-133 is issued. After issuance of OMB Circular A-133, audits shall be performed in accordance with the provisions of that Circular.~~

(b) The University of North Carolina and public hospitals operated by the State of North Carolina have annual audits performed by the State Auditor. The scope of such audits and the contents of the audit reports are the responsibility of the State Auditor and shall be accepted and relied upon by the Department unless a cognizant Federal agency finds that such audits do not meet the requirements of OMB Circular A-133, A-110, A-133 after issuance, or A-128.

(c) The above audit requirements are not applicable to procurements. However, the purpose and substance of an agreement rather than form shall govern whether financial assistance was provided. A subrecipient is an entity that receives financial assistance passed down from the prime recipient. The subrecipient's responsibility is to help the recipient meet the requirements of the assistance award. The test for a subrecipient relationship is whether financial assistance is received from a recipient to carry out a program. A vendor is an entity that receives a procurement contract for goods or services. The vendor's responsibility is to meet the requirements of the procurement contract.

(d) The above audit requirements are not intended to replace a request for submission of audit reports in connection with requests for direct appropriation of state aid by the General Assembly through the Secretary of the Department for recommendations to the Governor and the Advisory Budget Commission and the General Assembly in accordance with G. S. 159-34.

(e) The above audit requirements are not intended to replace requirements for submission of a financial audit report or financial information by the Department in connection with applications for funding or licensure, provider certification or cost reporting, and other purposes not related to provision of State and Federal financial assistance.

(f) The Secretary of the Department may grant a waiver of any or all of the audit standards to a recipient organization who does not receive any grants, contracts or other financial assistance financed in whole or in part with Federal funds when an audit of assistance financed with State funds is not otherwise required by law and is not cost effective.

(g) Each recipient organization shall be required to submit one copy of the audit report and corrective action plan required in Paragraph (a) of this Rule to each division of the Department which provided State or Federal financial assistance during the

fiscal year covered by such audit within 30 days from the date the report is issued by the auditor, and no later than the 13th month following the close of the recipient organization's fiscal year in which assistance was received.

(h) Upon receipt of the audit report the Department shall conduct a desk review of the audit report to determine if the reporting standards required in OMB Circular A-133 A-110 or when it is issued have been met. If an audit received from a recipient organization does not meet the standards required in OMB Circular A-133 A-110 or when it is issued, the Secretary of the Department shall issue a letter of determination to the recipient organization rejecting the audit and listing the required standards that were not met. The recipient organization shall be allowed no more than 90 days from the date of receipt of the Secretary's determination letter to submit a revised audit report which meets the standards required in OMB Circular A-133, A-110 or when it is issued. If the recipient organization fails to submit an audit report revised in accordance with the determination letter, the Secretary of the Department may suspend further financial assistance payments to the recipient organization or subject the recipient organization to an audit or compliance review by the Department or the State Auditor.

(i) The Department or any affected division of the Department may request any additional information deemed necessary for clarification of an audit finding, recommendation, questioned cost or the corrective action plan. The recipient organization shall provide the information to the requesting official within 30 days after the receipt of the request. If additional information or clarification from the independent auditor is requested, the recipient organization shall direct their auditor to provide the information requested to the requesting official.

(j) If the Department has reason to believe that due professional care was not used in conducting the audit required under OMB Circular A-133, A-133, A-110 or when it is issued, or if the recipient organization or their auditor is unwilling or unable to provide clarification or additional information requested by an official of the Department, the Controller of the Department may make or arrange for any review of the auditor's work papers deemed necessary for timely resolution of the audit findings, recommendations, or questioned cost.

(k) The Secretary of the Department shall provide the recipient organization with a written determination which accepts or rejects the corrective action plan for each audit finding, recommendation or questioned cost that pertains to or otherwise affects a program of the Department. If the corrective action plan is rejected the reasons for the rejection and an acceptable corrective action will be specified in the determination letter. If the corrective action plan indicates that the proposed corrective action for nonmonetary findings has not been implemented, the determination on all nonmonetary findings shall specify the time by which the local government or public authority shall implement the corrective action if different from the time proposed in the corrective action plan. The determination on all questioned cost or other charges to the Department shall state whether the cost or other charge is allowable or unallowable for reimbursement to the recipient organization under applicable laws, regulations and other



provisions of assistance agreements. If a cost or other charge to the Department is determined to be unallowable for reimbursement, the determination letter shall require full monetary repayment to the Department within 60 days of the date of the determination letter. The amount of any cost or other charge determined to be unallowable shall constitute a debt due the State of North Carolina until repayment in full is received by the Department.

(l) A determination by the Secretary of the Department required under Paragraph (k) or Paragraph (h) of this Rule shall become final unless timely notice of appeal is filed in accordance with G.S. 150B-23.

(m) Upon timely notice of appeal filed in accordance with G.S. ~~150B-23~~ 150B-23, monetary repayment or implementation of a corrective action required under Paragraph (k) of this Rule will be suspended only for individual determinations or parts of a determination specifically disputed in the appeal. Interest may be charged under the conditions specified under Paragraph (n) of this Rule on the amount of any cost or other charge determined to be unallowable under Paragraph (k) of this Rule.

(n) Except where otherwise provided by statutes or regulations, Federal agencies are required to charge interest on overdue amounts in accordance with the Federal Claims Collection Standards (4 CFR Ch. II). The date from which interest is computed is not extended by litigation or the filing of any form of appeal. If a Federal agency charges the Department interest on the Federal share of an overdue amount from a recipient organization, the Department shall charge the interest to the recipient organization.

(o) If a recipient organization fails to make repayment of an amount due to the Department or obtain Department approval of a deferred payment plan by the "due date" specified in Paragraph (k) of this Rule the Department shall offset the amount of the disallowance or any portion thereof remaining unpaid and any interest due from subsequent reimbursements or other amounts due the recipient organization until the amount due is fully recovered.

(p) A recipient organization may propose a plan for repayment of amounts determined to be unallowable on an installment basis. The recipient organization must certify that it is unable to make repayment by the "due date" specified in Paragraph (k) of this Rule and that commercial financing can not be obtained. Repayment of the Federal ~~federal~~ share of amounts determined to be unallowable will not be allowed on an installment basis unless the Federal grantor agency approves of the installment plan or otherwise allows the Department the same installment repayment terms. Interest may be charged as specified under Paragraph (n) of this Rule while awaiting Federal approval of an installment plan or on installment payments.

(q) If a recipient organization fails to submit the corrective action plan required under Paragraph (a) of this Rule or additional information requested under Paragraph (i) of this Rule or fails to implement corrective action within the time frame established by the Secretary under Paragraph (k) of this Rule, the Secretary of the Department or the Director of the requesting Division may suspend payment to the recipient organization of all or any portion of the administrative and indirect cost funding

administered by the Department until such time as the required audit, corrective action plan or additional information is submitted as requested. Alternatively, the Secretary of the Department may issue a unilateral determination on the audit findings, recommendations, and questioned cost requiring any corrective action and repayment of questioned cost deemed necessary for compliance with the laws and regulations governing assistance programs affected.

*Authority: G.S. 143B-10(j); 143B-139.1.*

#### **.0420 PURCHASE OF SERVICE VS. FINANCIAL ASSISTANCE**

(a) Non-profit and for profit agencies that receive State or Federal financial assistance either directly from DHHS ~~DHR~~ as a recipient or indirectly as a subrecipient ~~sub-recipient~~ through contractual agreements with local agencies funded by DHHS ~~DHR~~ are required to have a compliance audit performed in accordance with OMB Circular A-133; however, Circular A-133 does not apply to purchases of goods/services (vendors).

(b) A recipient/subrecipient ~~recipient/sub-recipient~~ is distinguished from a vendor (purchase of service agreement) by the degree of responsibility assumed to meet the requirements of the program.

(c) In a financial assistance arrangement, the recipient/subrecipient ~~recipient/sub-recipient~~ receives the funding to carry out or administer a program. A recipient/subrecipient ~~recipient/sub-recipient~~ may be responsible for determining who is eligible for participation in a program by applying pre-determined eligibility requirements. A vendor who reserves the right to reject a participant based on a criteria other than eligibility, does not become a recipient by exercising that right. A recipient/subrecipient ~~recipient/sub-recipient~~ is responsible for making programmatic decisions ~~decision~~ and its performance is measured against meeting the program's ~~programs~~ objectives. Normally, but not always, there is an interest in how program ~~programs~~ funds are expended. Although recipient/subrecipient ~~recipient/sub-recipient~~ generally have cost reimbursement grants/contracts it is possible for them to have a fee/rate per unit of service arrangement.

(d) A vendor (purchase of services/goods) is measured against the terms of a contract. Goods must meet certain specifications and services are measured against certain quality standards. A vendor normally operates in a competitive environment and once a pre-determined unit price has been established in a contract, usually there is no interest in how the vendor expends funds in meeting the vendor's obligation under the terms of the contract.

(e) In distinguishing between a purchase of service and financial assistance arrangement, the substance of the relationship is more important than the form of the agreement.

(f) Reviewing a recipient/subrecipient's ~~recipient/sub-recipient~~ contractual requirements and answering the following questions shall give an indication of the type arrangement represented by the contract.

		Indication of	
		Financial Assistance	Purchase/Service
		<u>Yes</u>	<u>No</u>
1.	Does the contract provider determine client eligibility?		
2.	Does the contract provider authorize services on a client specific basis?		
3.	Does the contract provider determine the appropriateness of the services to be provided?		
4.	Does the contract provider provide administrative functions, such as:		
	a. Program evaluation?		
	b. Program planning?		
	c. Monitoring?		
	d. Develop program standards, procedures, and rules?		
5.	Does the contract provider have responsibility for program compliance?		
6.	Does the contract provider have to submit a cost report to satisfy a cost reimbursement arrangement?		
7.	Does the contract provider have any obligation to the funding authority other than the delivery of the specified goods/services?		
		<u>No</u>	<u>Yes</u>
8.	Does the contract provider operate in a competitive environment?		
9.	Does the contract provider provide similar goods and/or services to many different purchasers?		
10.	Does the contract provider provide the goods and/or services within normal business operations?		

The list in this Rule is not intended to be all inclusive; however, the answers to the questions shall offer guidance in distinguishing between a purchase of service or financial assistance arrangement. There may be other factors that would influence the decision on whether a contract is classified as either financial assistance or purchase of service and the decision shall only be made after weighing all factors relative to the contract. All factors will not carry the same weight. As an illustration, if any of the answers to questions 1 through 5 are yes, the contract shall almost always be a financial assistance arrangement. However, regardless of the answers to the questions, they shall not contradict a determination/classification that has been/or may be made by the funding Federal authority.

The funding DHHS Division ~~DHR Division's~~ fiscal officer shall be available to assist, on a timely basis, its local counterparts in making the distinction in unique situations.

Authority G. S. 143B-10(j)(2).

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the Department of Environment and Natural Resources intends to amend the rules cited as 15A NCAC 1J .0101-.0102, .0202, .0303, .0402, .0502, .0504, .0601, .0604, .0701, .0703, .0803, .0903-.0904; 1L .0101-.0102, .0303, .0501, .0503, .0601, .0604, .0701, .0801, .0902, .1003-.1004, and repeal the rule cited as 15A NCAC 1L .0203. Notice of Rule-making Proceedings was published in the Register on March 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 2:00 p.m. on June 2, 1999 at the Archdale Building, Groundfloor Hearing Room, Raleigh, NC.

**Reason for Proposed Action:** Senate Bill 1354 enacted by the 1998 General Assembly authorizes the issuance of general obligation bonds of the State to provide additional grant funding for the Clean Water Revolving Loan and Grant program established in G.S. 159G. The legislation dictates that special emphasis on seven criteria be placed on the distribution of the funds to be used for wastewater and water supply projects. Consequently, we have proposed amending the rules governing the Revolving Loan and Grant program to incorporate these

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seven criteria in their existing priority systems. The criteria to be emphasized include public necessity, system efficiencies, sound fiscal policies and efficient operation and management, capital improvement plans, reduction in discharges, watershed protection, and critical infrastructure needs.

**Comment Procedures:** Any person or organization desiring to make oral comments at the hearing should register to do so at the hearing. Statements will be limited to 10 minutes, and one typewritten copy of such statement should be submitted to the panel conducting the hearing. Any additional comments on the proposed rule amendments should be forward to the Division of Water Quality by June 14, 1999.

**Fiscal Note:** These Rules, 15A NCAC 1J .0102, .0202, .0303, .0402, .0502, .0701, .0703, .0803, .0903; 1L .0102, .0501, .0801, .0902-.0903, affect the expenditures or revenues of local government funds and the expenditure or distribution of State funds subject to the Executive Budget Act, Article 1 of Chapter 143. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**Fiscal Note:** These Rules, 15A NCAC 1J .0101, .0504, .0601, .0604, .0904; 1L .0101, .0203, .0303, .0503, .0601, .0604, .0701, .1003, .1004, do not affect the expenditures or revenues of state or local government funds and do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

## SUBCHAPTER 1J - STATE CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM

### SECTION .0100 - GENERAL PROVISIONS

#### .0101 PURPOSE

Loans and grants for wastewater treatment systems, wastewater collection systems and water supply systems from the various accounts in the North Carolina Clean Water Revolving Loan and Grant Fund established by G.S. 159G, except the Water Pollution Control Revolving Fund established by G.S. 159G-5(C), 159G-5(C) and the Drinking Water Treatment Revolving Loan Fund established by G.S. 159G-5(d), shall be made in accordance with this Subchapter.

Authority G.S. 159G-15.

#### .0102 DEFINITIONS

In addition to the definitions in G.S. 159G-3, the following definitions will apply to this Subchapter:

- (1) "Act" means the North Carolina Clean Water Revolving Loan and Grant Act of 1987, G.S. 159G.
- (2) "Award" means the offer by the receiving agency to enter into a loan or grant commitment for a specified amount.
- (3) "Award of contract" means the award by the loan or grant recipient to a contractor of a contract to construct the project as bid.

- (4) "Bid" means the amount of money for which a contractor offers to construct the project.
- (5) "Contingency costs" means unforeseen costs or situations not included in the estimate of project costs.
- (6) "Commitment" means a binding agreement to pay loan or grant funds in a lump sum or in installments to an eligible applicant at some future time.
- (7) "Date of completion" means the date on which the project has been completed, as determined by the receiving agency.
- (8) "Division of Environmental Health" means the Division of Environmental Health of the North Carolina Department of Environment and Natural Resources.
- ~~(8)~~(9) "Division of Environmental Management" means the Division of ~~Environmental Management~~ Water Quality of the North Carolina Department of ~~Environment, Health, Environment~~ and Natural Resources.
- ~~(9)~~(10) "Effective date of receipt" means September 30 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between April 1 and September 30, and means March 31 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between October 1 and March 31; except that for applications to the Emergency Wastewater or Water Supply Revolving Loan Account it means the date designated by the receiving agency for each priority review period established under Rule .0801(b) of this Subchapter.
- ~~(10)~~(11) "Fiscal year" means the state fiscal year, beginning on July 1 of a calendar year and ending on June 30 of the following calendar year. In referring to a specific fiscal year, the year named is the calendar year in which the fiscal year ends. For example, "Fiscal Year 1988" refers to the fiscal year beginning July 1, 1987 and ending June 30, 1988.
- ~~(11)~~(12) "Inspection" means inspection or inspections of a project to determine percentage completion of the project and compliance with applicable federal, state and local laws or rules.
- ~~(12)~~(13) "Orders" means any restrictive measure, related to the operation of its wastewater treatment facilities, issued to an applicant for a loan or grant from the wastewater accounts under this Subchapter. Such measures may be included in, but are not restricted to, Special Orders, Special Orders by Consent, Judicial Orders, or issued or proposed permits, permit modifications or certificates.
- ~~(13)~~(14) "Project" means the works described in the application for a loan or grant under this Subchapter.
- ~~(14)~~(15) "Loan" means "revolving loan" as defined in G.S. 159G-3(15).
- ~~(15)~~(16) "Priority period" means priority review period as established in Section .0800 of this Subchapter.
- ~~(16)~~(17) "Real property" means land and structures affixed to



the land having the nature of real property or interests in land including easements or other rights-of-way purchased or acquired for water supply and wastewater facilities and works to be constructed as a part of the project for which a loan or grant is made under this Subchapter.

(+17)(18) "Regional water supply system" means ~~a public water supply system of a municipality, county, sanitary district, or other political subdivision of the state or combination thereof which provides, is intended to provide, or is capable of providing an adequate and safe supply of water to a substantial portion of the population within a county, or to a substantial water service area in a region composed of all or parts of two or more counties, or to a metropolitan area in two or more counties.~~

(a) A public water system that serves two local units of government, or

(b) A public water system that demonstrates each of the following:

(i) A specific plan to provide drinking water throughout the territory of a local unit of government, except that a municipality shall also demonstrate a specific plan to provide drinking water outside its extraterritorial jurisdiction;

(ii) Shares water supply facility resources with another public water system or eliminate an acute/imminent, immediate, chronic, or potential health hazard as described in Rule .0701 (a) through (d) of this Subchapter in an area containing at least 15 residential units which is not served by a public water system; and

(iii) A interlocal agreement or joint resolution to be a part of an interconnected regional water system within 10 years.

(+18)(19) "Regional wastewater management authority" means ~~a unit of government which has jurisdiction for providing the wastewater treatment works for three or more units of government, or which has responsibility within a facility planning area to carry out the operation and maintenance of all publicly-owned wastewater treatment works.~~ "Regional wastewater system" means a public wastewater collection or treatment system of a municipality, county, sanitary district, or other political subdivision of the State or combination thereof that serves two or more units of government.

(+19)(20) "Water Reclamation" means the production of a high level treated effluent as a reusable, non-potable water source.

(+20)(21) "Water Reuse" means the actual use or application of treated wastewater in or on areas which require water but do not require potable water quality.

Authority: G.S. 159G-3; 159G-15.

## SECTION .0200 - ELIGIBILITY REQUIREMENTS

### .0202 GRANTS FROM THE HIGH-UNIT COST ACCOUNTS

(a) Eligibility of an application for a grant from the High-Unit Cost Wastewater Account or the High-Unit Cost Water Supply Account, and the amount eligible for such a grant, will be determined by the receiving agency in accordance with G.S. 159G-6(b)(2) or 159G-6(c)(2), subject to the limitations in G.S. 159G-6(a)(2).

(b) For the purposes of Rule .0202(a) of this Subchapter, median household income in the ~~county~~ local government unit in which the project is located will be as determined jointly each year by the U.S. Bureau of Census and the U.S. Department of Housing and Urban Development.

(c) Grants from the High-Unit Cost Wastewater and Water Supply Accounts will be made only to approved projects that receive a commitment for the balance of project costs from any other source, including loans under this Subchapter and other loans from governmental or private sources.

(d) Grants from the High-Unit Cost Water Supply accounts will be made only to applicants who have submitted a water supply facility plan to the Department of Environment and Natural Resources in accordance with G.S. 143-355(l).

Authority: G.S. 159G-6(a)(2); 159G-6(b)(2); 159G-6(c)(2); 159G-15.

## SECTION .0300 - APPLICATIONS

### .0303 FILING OF REQUIRED SUPPLEMENTAL INFORMATION

(a) Every application shall be accompanied by an environmental assessment document as required by G.S. 159G-8(b), by the date the receiving agency sets the priority rating for a priority review period.

(b) Any application that has not received approval by the receiving agency of the preliminary engineering report for the proposed project by the date the receiving agency sets the priority rating for a priority review period shall not be included in the priority rating for that priority review period.

(c) Any applicant for a water supply project not demonstrating approval of plans and specifications within four months from the end of the priority rating period shall be transferred to the next priority rating period for consideration unless this review is the second review in which case a new application shall be required for further consideration.

(d) Any application for water supply projects must be accompanied by a business plan, water system management plan, or other information that documents that the applicant has the technical, managerial, and financial capacity to ensure compliance with the North Carolina Drinking Water Act, G.S. 130A-311 et. seq.

(+e)(e) Any application that is not accompanied by an adopted resolution as required by G.S. 159G-9(3) stating that the unit of government has complied or will substantially comply with all applicable federal, state and local laws or rules shall not be

included in the priority rating for that priority review period. Such resolution shall be certified or attested to as a true and correct copy as adopted.

(d)(f) If a public hearing is held on an application, the application shall not be included in the priority rating unless the hearing process is concluded by the date the receiving agency sets the priority rating for the priority review period.

(e)(g) A certification shall be submitted by the local government unit stating that it will be in compliance with verifiable Minority Business Enterprise goals as stated in G.S. 143-128.

*Authority: G.S. 159G-8; 159G-9; 159G-10(a); 159G-15.*

## **SECTION .0400 - CRITERIA FOR EVALUATION OF ELIGIBLE APPLICATIONS**

### **.0402 CRITERIA FOR PLANNING AND WATER CONSERVATION**

Maximum value- ~~70~~ 80 points:

- (a) Applicant may receive a maximum of 15 bonus points for meeting the following criteria as applicable:
  - (1) Applicant demonstrates it has a continuing I/I program in its wastewater sewer maintenance program. (Wastewater Projects Only) 5 points
  - (2) Applicant demonstrates it has a continuing water loss program in its water supply system program. (Water Supply Projects Only) 5 points
  - (3) Applicant demonstrates it has a continuing program of water conservation education and information. 5 points
  - (4) Applicant demonstrates it has established a water conservation incentive rate structure; created incentives for new or replacement installation of low flow faucets, shower heads, and toilets; or has a water reclamation or reuse system. 5 points
- (b) Applicant may ~~also~~ receive a maximum of ~~40~~ 25 bonus points for meeting the following criteria:
  - (1) Applicant demonstrates that it has adopted a comprehensive land-use plan that meets the requirements of G.S. 155H, Article 18 or G.S. 160A, Article 19, or applicant is a local government unit that is not authorized to adopt a comprehensive land-use plan but that is located in whole or in part in another local government unit that has adopted a comprehensive land-use plan, and that the proposed project is consistent with the plan. 2 7 points
  - (2) Applicant demonstrates that the comprehensive land-use plan exceeds the minimum state standards for the protection of water resources. 2 8 points
  - (3) Applicant demonstrates that actions have been taken toward implementation of the

comprehensive land-use plan. These actions may include the adoption of a zoning ordinance or any other measure that significantly contributes to the implementation of the comprehensive land-use plan. 6 10 points

(c) Applicant may receive a maximum of 20 bonus points for the following criteria:

- (1) Applicant has developed a capital improvement plan as defined in Session Laws 1998 Chapter 132. 15 points
- (2) Proposed project is consistent with the water supply watershed protection requirements of G.S. 143-214.5. 5 points
- (d) Applicant may receive a maximum of 20 bonus points for the following criteria:
  - (1) Applicant demonstrates voluntary water supply watershed protection activities in excess of the minimum requirements of G.S. 143-214.5, or 15 points
  - (2) Applicant demonstrates it has developed a voluntary wellhead protection program, or 15 points
  - (3) Applicant demonstrates it has both Subparagraphs (1) and (2) of this Paragraph. 20 points

*Authority: G.S. 159G-10; 159G-15.*

## **SECTION .0500 - PRIORITY CRITERIA FOR WASTEWATER TREATMENT WORK PROJEC**

### **.0502 APPLICABLE CONDITIONS**

Maximum Value -- ~~55~~ 65 Points:

The value of this Rule will be the sum of the points assigned under Items (1), (2), (3) and (4) of this Rule.

- (1) Proposed project will comply with established water quality standards and priority points will be assigned on the basis of the classification assigned to the receiving waters as follows:
  - (a) Class "SA" (Shellfish Waters), Class "WS-I" or "WS-II" (Water Supply Source), Class "ORW" (Outstanding Resource Waters), or "HQP" (High Quality Waters). 30 20 points
  - (b) Class "WS-III", "WS-IV", or "WS-V" (Water Supply Source) 28 15 points
  - (c) Class "B" or "SB" (Bathing Waters) 26 10 points
  - (d) Class "C" or "SC" (Fishing) 24 5 points
- (2) ~~Construction of proposed project has been initiated or must be initiated within 12 months to comply with an order issued or with a compliance schedule approved by the Environmental Management Commission, or by Judicial Order. Proposed projects will provide for a regional wastewater collection or treatment system.~~ 40 15 points
- (3) ~~Proposed projects will provide for a regional wastewater treatment facility.~~ 40 points
- (4)(3) Proposed project will provide wastewater treatment



processes for the removal of nutrients. ~~nutrients or other materials not normally removed by conventional treatment processes.~~ 5 points

- (4) Proposed project will result in a reduction of the overall volume of effluent discharged to the state's waters by using alternative methods of wastewater treatment and disposal. 25 points

*Authority G.S. 159G-10; 159G-15.*

**.0504 FISCAL RESPONSIBILITY OF THE APPLICANT**

Maximum Value--~~40~~ 25 points:

The value of this Rule will be the sum of the points assigned to either Item (1) or (2) of this Rule plus the value assigned to Items (3) and (4) of this Rule:

- (1) Applicant has adopted an acceptable sewer use ordinance which will be placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the project. 6 points
- (2) Applicant is in the process of adopting an acceptable sewer use ordinance which will be adopted and placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the project. 2 points
- (3) Applicant has established by resolution of its governing body a capital reserve fund into which all surplus revenues from such charges and fees will be placed for the purposes specified in G.S. 159G-9(4). (Copy of the resolution must be submitted with application.) 2 4 points
- (4) The applicant has followed proper accounting and fiscal reporting procedures as evidenced by the applicant's most recent report of audit and the applicant is in ~~substantial~~ compliance with provisions of the general fiscal control laws of the state. 2 15 points

The Environmental Management Commission may seek the comments of the Secretary of the Local Government Commission in determining the values to be assigned to Items (3) and (4) of this Rule.

*Authority G.S. 159G-10; 159G-15.*

**SECTION .0600 - PRIORITY CRITERIA FOR WASTEWATER COLLECTION SYSTEM PROJECTS**

**.0601 PUBLIC NEED**

Select One; Maximum Value--25 points:

- (1) Project is intended to improve or expand an existing system for which adequate wastewater treatment facilities will be provided by:
  - (a) a regional wastewater ~~management authority~~ system. 25 points
  - (b) the applicant. 20 points
- (2) Project is intended to provide a basic system for a unit of government which is not presently served by an approved system and adequate wastewater treatment will be provided by:
  - (a) a regional wastewater ~~management authority~~ system. 20 points
  - (b) the applicant. 15 points

*Authority G.S. 159G-10; 159G-15.*

**.0604 FISCAL RESPONSIBILITY OF THE APPLICANT**

Maximum Value--~~40~~ 25 points:

The value of this Rule will be the sum of the points assigned to either Item (1) or (2) plus the value assigned to Items (3) and (4) of this Rule:

- (1) Applicant has adopted an acceptable sewer use ordinance which will be placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges, providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation, and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the ~~project~~ project, or 6 points
- (2) Applicant is in the process of adopting an acceptable sewer use ordinance which will be adopted and placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges, providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the project. 2 points
- (3) Applicant has established by resolution of the governing body a capital reserve fund into which all surplus revenues from such charges and fees will be placed for the purposes specified in G.S. 159G-9(4). (Copy of the resolution must be submitted with application.) 2 4 points
- (4) The applicant has followed proper accounting and fiscal reporting procedures, as evidenced by the applicant's most recent report of audit, and the applicant is in ~~substantial~~ compliance with provisions of the general fiscal control laws of the state. 2 15 points



The Division of Environmental Management may seek the comments of the Secretary of the Local Government Commission in determining the values to be assigned to Items (3) and (4) of this Rule.

*Authority G.S. 159G-10; 159G-15.*

**SECTION .0700 - PRIORITY CRITERIA FOR WATER SUPPLY SYSTEMS PROJECTS**

**.0701 PUBLIC NECESSITY: HEALTH: SAFETY AND WELFARE**

Maximum Value--80 100 points:

(1) System and Service Area Needs: (Maximum Points--20)

- (a) The project is intended to increase the source of water to meet existing service area needs or to alleviate water shortage problems. 12 points
- (b) The project is intended to improve an existing system with no increase in the area to be served. 12 points
- (c) The project is intended to increase the existing area to be served without improvement of the existing system. 12 points
- (d) The project is intended to increase the existing area to be served and includes needed improvements to the existing system. 16 points
- (e) The project is intended to significantly increase the existing area to be served and includes needed improvements to the existing system and either is a component of or will create a regional water supply system, system or is so designed as to permit interconnection at an appropriate time with an expanding metropolitan, area-wide or regional system. 20 points
- (f) The project is intended to provide for construction of a basic system for an area which is not presently served by an approved public water supply system and service by an existing system is not feasible. 20 points

(2) Public Health Need (A maximum of 40 points shall be awarded if more than one item applies.). The project is intended to eliminate the following health risks:

- (a) Contaminant levels in drinking water which constitute acute health risks as defined in 40 CFR 141.32(a)(1)(iii) which is incorporated by reference at 15A NCAC 18C .1523. 40 points
- (b) Unreasonable risks to health from contaminant levels in drinking water as determined by the U.S. Environmental Protection Agency or the Environmental Epidemiology Section of the Department of Environment, Health, and Natural Resources pursuant to the Guidance in Developing Health Criteria for Determining Unreasonable Risk to Health as published by the Office of Drinking Water, U.S.

~~Environmental Protection Agency, Washington, D.C. 20460 and hereby incorporated by reference including any subsequent amendments and editions. This material is available for inspection at the Department of Environment, Health, and Natural Resources, Division of Environmental Health, 1330 St. Mary's Street, Raleigh, North Carolina. Copies may be obtained from the Department of Environment, Health, and Natural Resources, Division of Environmental Health, Public Water Supply Section, P.O. Box 19536, Raleigh, North Carolina 27626-0536 at no charge unless subsequent editions exceed 100 pages.~~ 35 points

- (c) ~~Contaminant levels in drinking water other than those which constitute acute health risks described in Sub-item (2)(a) of this Rule.~~ 30 points
- (d) ~~Inadequate treatment to remove or abate contaminant levels in drinking water.~~ 30 points
- (e) ~~Insufficient water for drinking or for sewage disposal purposes or inadequate water pressure to prevent contaminant levels in drinking water.~~ 20 points

(2) Public health and compliance points may be awarded to a project based on the following criteria. A proposed project shall be necessary to facilitate compliance with the N.C. Drinking Water Act or the federal Safe Drinking Water Act and to alleviate the type of public health concern for which points are awarded. A project shall receive only points in the highest sub-category for which it may qualify:

- (a) Acute/Imminent Health Hazards. A maximum of 60 points shall be awarded to projects that propose to eliminate any one or more of the following acute, ongoing health hazards to the consumer:
  - (i) Projects that address documented nitrate, nitrite or fecal coliform MCL violations, or contaminant levels in drinking water which constitute acute health risks as defined in 40 C.F.R. 141.32(a)(1)(iii) which is incorporated by reference at 15A NCAC 18C .1523; or
  - (ii) Projects that eliminate any contaminant in the public water system that poses an acute risk or imminent hazard to public health as determined by the State Health Director or a health risk assessment from the Division of Epidemiology, Department of Health and Human Services in accordance with G.S. 130A-2(3).
- (b) Immediate Health Hazards. A maximum of 40 points shall be awarded to projects that propose to eliminate any one or more of the following

immediate health hazards to the consumer:

- (i) Projects that address surface water treatment technique violations occurring for two or more consecutive months;
  - (ii) Projects that resolve any microbiological MCL problems for a water system with three or more microbiological MCL violations during the previous 12 months;
  - (iii) Projects that propose filtration for a surface water source or for a well that is determined to be under the direct influence of surface water by the Department that does not currently have filtration;
  - (iv) Projects that address the inability of a public water system to inactivate giardia and viruses in accordance with 15A NCAC 18C .2001; or
  - (v) Projects that address documented recurrent water outages or low pressure below the requirements of 15A NCAC 18C .0901. Only problems that affect human consumption of drinking water shall be considered for award of points under this criteria.
- (c) Chronic Health Hazards. A maximum of 24 points shall be awarded to projects that propose to eliminate any one or more of the following chronic health hazards to the consumer:
- (i) Projects that address exceedances of the lead and copper action levels under 15A NCAC 18C .1507;
  - (ii) Projects that address violations of inorganic or organic chemical or contaminant MCLs under 15A NCAC 18C .1510, .1517, and .1518;
  - (iii) Projects that address violations of radiological contamination MCLs under 15A NCAC 18C .1520 and .1521; or
  - (iv) Projects that address a chronic health hazard as determined by the State Health Director or a health risk assessment from the Division of Epidemiology, Department of Health and Human Services.
- (d) Potential Health Hazards. A maximum of 16 points shall be awarded to projects that propose to eliminate any one or more of following potential health hazards to the consumer:
- (i) Projects that address low chlorine residuals in the distribution system;
  - (ii) Projects that address periodic violations of an MCL;
  - (iii) Projects for line installation or extensions to areas with poor water quality or limited quantity;
  - (iv) Projects to develop new sources of

water, to augment existing sources, or to expand treatment capacity to meet current demand when the average daily demand for the previous 12 months equals or exceeds the available water supply as calculated in local water supply plans prepared in accordance with G.S. 143-355(l) or the maximum day demand for the previous 12 months equals or exceeds the approved water treatment plant design capacity; or

- (v) Projects to provide disinfection for a system that currently does not have disinfection.
- (e) System Improvements. A maximum of 8 points shall be awarded for projects that shall provide any one or more of the following general system improvements when needed for public health purposes:
- (i) Projects that replace water supply production or treatment equipment that is undersized, malfunctioning or has exceeded its useful life;
  - (ii) Projects that replace undersized or leaking water lines;
  - (iii) Projects that address other water quality concerns such as iron, manganese, taste, and odor;
  - (iv) Projects to bring existing facilities to current design standards which affect water quality such as treatment, chemical storage and application, pumping facilities, finished storage, distribution systems;
  - (v) Projects that eliminate dead ends and provide looping in a distribution system.
  - (vi) Projects that increase water storage capacity;
  - (vii) Projects to develop new sources of water, to augment existing sources, or to expand treatment capacity to meet current demand when the average daily demand for the previous 12 months exceeds 80 percent of the available water supply as calculated in local water supply plans prepared in accordance with G.S. 143-355(l) or the maximum day demand for the previous 12 months exceeds 80 percent of the approved water treatment plant design capacity; or
  - (viii) Projects for installation or upgrade of water treatment plant waste disposal facilities.

- (3) Capacity for Future Growth (Select One) - (Maximum Points --20):
- (a) The project is intended to provide for the immediate needs. 6 points
  - (b) The project is intended to provide for the



reasonable growth needs of the area during the next 5 to 20 year planning period. 10 points

- (c) The project is a proposed regional system or a major component of a regional system which is intended to provide for the reasonable growth needs of the area to be served during the next 20 or more years. 20 points

*Authority G.S. 159G-10; 159G-15.*

**.0703 FINANCIAL CONSIDERATIONS**

Maximum Value--~~35~~ 40 Points:

- (1) Financing of the Project (Select One)  
(Maximum Points--10):
  - (a) Applicant has applied for but not received a commitment for funding from a federal agency for a portion of the project costs. 5 points
  - (b) Applicant has funds available or has received a commitment for funding from a federal agency, or bonds have been authorized to cover project costs over and above the state grant or loan funds requested. 10 points
  - (c) The loan funds requested cover all the estimated project costs. 10 points
- (2) Fiscal Responsibility of the Applicant (Maximum Points--~~10~~; 15). The value of this categorical element shall be the sum of the points awarded Items (a) to (c) of this Paragraph:
  - (a) The applicant has followed proper accounting and fiscal reporting procedures as reflected in the applicant's most recent report of audit, and the applicant is in substantial compliance with the provisions of the general fiscal control laws of the state. 2 points
  - (b) The applicant water system is fiscally self-sufficient. 2 points
  - (c) Estimated revenues will provide funds for proper future operation, maintenance and administration, reasonable expansion of the project and estimated annual principal and interest requirements for the project debt plus annual principal and interest requirements on the outstanding debt incurred for existing facilities. 6 11 points

In determining the points to be awarded this categorical element, the Division of Environmental Health may seek the comments of the Secretary of the Local Government Commission.

- (3) Financial Need of the Applicant (Maximum Points--15). The financial need of the applicant will be determined by the following formula:

$$\text{Points} = \frac{150 (\text{Total Bonded Indebtedness plus Total Estimated Project Cost})}{\text{Total Appraised Property Valuation}}$$

"Total bonded indebtedness" includes all outstanding bonds as of the first day of the quarter in which the project application is eligible for consideration for the

assignment of a priority but shall not include bonds already authorized or sold to finance the proposed project.

"Total appraised property valuation" refers only to real property valuation based on the most recent appraisal for tax purposes as officially recorded in the county or counties in which the service area of the proposed project is to be located.

"150" is used in the formula to provide point values for this categorical element.

*Authority G.S. 159G-10; 159G-15.*

**SECTION .0800 - PRIORITY REVIEW PERIODS:  
ASSIGNMENT OF PRIORITIES**

**.0803 ASSIGNMENT OF CATEGORY TO  
WASTEWATER APPLICATIONS**

(a) Applications to the General Wastewater Revolving Loan Account or the High-Unit Cost Wastewater Account will be assigned a category as follows, during review of the applications:

- (1) All applications for projects that are under orders ~~or projects whose receiving waters have been designated Nutrient Sensitive Waters by the Environmental Management Commission or whose receiving waters have been identified as water quality impaired or limited in the most current basinwide water quality management report, under moratorium, at or above 80% of permitted capacity during the previous calendar year, experiencing excessive infiltration/inflow, or that would qualify for an Emergency Loan under Rule .0204 of this Subchapter,~~ and that have submitted final project plans and specifications for review and approval by the receiving agency, shall be placed in Category 1.
- (2) All applications for projects that are under ~~orders, under moratorium, at or above 80% permitted capacity during the previous calendar year, experiencing excessive infiltration/inflow, or that would qualify for an Emergency Loan under Rule .0204 of this Subchapter or projects whose receiving waters have been designated Nutrient Sensitive Waters by the Environmental Management Commission or whose receiving waters have been identified as water quality impaired or limited in the most current basinwide water quality management report, and that have not submitted final project plans and specifications for review and approval by the receiving agency and all applications for projects not included in Category 1 that have not submitted final project plans and specifications for review and approval by the receiving agency shall be placed in Category 2.~~
- (3) All other applications shall be placed in Category 3. All applications for projects for expanding infrastructure primarily to support additional development and that have submitted final project



plans and specifications for review and approval by the receiving agency, shall be placed in Category 3.

- (4) All applications for projects for expanding infrastructure primarily to support additional development that have not submitted final project plans and specifications for review and approval by the receiving agency shall be placed in Category 4.

(b) All applications in Category 1 for a specific wastewater account will be funded before applications in Category 2 in the same account. All applications in Category 2 for a specific wastewater account will be funded before applications in Category 3 in the same account. All applications in Category 3 will be funded before applications in Category 4 in the same account.

(c) ~~Proceeds from the statewide bond referendum authorized by the 1993 S.L. c. 542, s. 10 may only be used to fund projects that have submitted final plans and specifications for review and approval by the receiving agency.~~

*Authority G.S. 159G-2; 159G-15.*

## **SECTION .0900 - LOAN AND GRANT AWARD AND COMMITMENT: DISBURSEMENT OF LOANS AND GRANTS**

### **.0903 CRITERIA FOR LOAN ADJUSTMENTS**

Upon receipt of bids, a loan commitment may be adjusted as follows:

- (1) The loan commitment may be decreased, provided the project cost as bid is less than the estimated project cost, and the receiving agency approves the loan commitment decrease.
- (2) Loan commitments may be increased, to a maximum of ~~ten percent or three~~ five hundred thousand dollars (\$300,000.00) (\$500,000), whichever is greater; provided: the project cost as bid is greater than the estimated project cost; the project as bid is in accordance with the project for which the loan commitment was made; the receiving agency has reviewed the bids and determined that substantial cost savings would not be available through project revisions without jeopardizing the integrity of the project; and adequate funds are available in the account from which the loan was awarded. Increases greater than ten percent of the loan commitment shall be approved by the receiving agency; the Local Government Commission; and, for wastewater projects, the Environmental Management Commission.

*Authority G.S. 159G-12; 159G-15.*

### **.0904 DISBURSEMENT OF LOANS AND GRANTS**

(a) Disbursement of loan and grant monies shall be made at intervals as work progresses and expenses are incurred. No disbursement shall be made until the receiving agency receives satisfactory documentation of incurred costs. At no time shall disbursement exceed the allowable costs which have been

incurred at that time.

(b) Project inspection will confirm work progress, and a final inspection is required prior to the final disbursement of loan monies.

(c) No disbursement shall be made until the receiving agency receives documentation of compliance with the verifiable percentage goal for participation by minority businesses in accordance with G.S. ~~143-128(c); 143-128.~~

(d) ~~The receiving agency will notify the Fiscal Management Office of the Controller of the Department of Environment, Health, Environment and Natural Resources to make loan or grant disbursements. A check in the amount of the disbursement authorized by the receiving agency will be written to the loan or grant recipient by the Fiscal Management Office, Office of the Controller. The check will be forwarded to the loan or grant recipient by the receiving agency.~~

*Authority G.S. 159G-12; 159G-15.*

## **SUBCHAPTER 1L - STATE CLEAN WATER BOND LOAN PROGRAM**

### **SECTION .0100 - GENERAL ADMINISTRATION**

#### **.0101 PURPOSE**

Loans for wastewater treatment systems, wastewater collection systems, water supply systems and water conservation projects from the North Carolina Clean Water Bonds Loan Fund established by the ~~1993~~ 1998 S.L. ~~c. 542, 132,~~ c. 542, 132, s. 10 shall be made in accordance with this Subchapter.

*Authority S.L. 1998, c. 132, s. 10.*

#### **.0102 DEFINITIONS**

In addition to the definitions in ~~S.L. c. 542, s. 3, S.L. 1998, c. 132 s. 10~~ the following definitions will apply to this Subchapter:

- (1) "Act" means the North Carolina Education, Clean Water, and Parks Bond Act of 1993.
- (2) "Award" means the offer by the receiving agency to enter into a loan commitment for a specified amount.
- (3) "Award of contract" means the award by the loan recipient to a contractor of a contract to construct the project as bid.
- (4) "Bid" means the amount of money for which a contractor offers to construct the project.
- (5) "Contingency costs" means unforeseen costs or situations not included in the estimate of project costs.
- (6) "Commitment" means a binding agreement to pay loan funds in installments to an eligible applicant at some future time.
- (7) "Date of completion" means the date on which the project has been completed, as determined by the receiving agency.
- (8) "Division of Environmental Health" means the Division of Environmental Health of the North Carolina Department of ~~Environment, Health, Environment~~ and Natural Resources.
- (9) "Division of Environmental Management" means the

Division of Environmental Management Water Quality of the North Carolina Department of Environment, Health, Environment and Natural Resources.

- (10) "Effective date of receipt" means September 30 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between April 1 and September 30, and means March 31 for applications postmarked or hand delivered to the principal offices of the receiving agency in Raleigh, North Carolina between October 1 and March 31.
- (11) "Fiscal year" means the state fiscal year, beginning on July 1 of a calendar year and ending on June 30 of the following calendar year. In referring to a specific fiscal year the year named is the calendar year in which the fiscal year ends. For example, Fiscal Year 1994 refers to the fiscal year beginning July 1, 1993 and ending June 30, 1994.
- (12) "Inspection" means inspection or inspections of a project to determine percentage completion of the project and compliance with applicable federal, state and local laws or rules.
- (13) "Orders" means any restrictive measure, related to the operation of its wastewater treatment facilities, issued to an applicant for a loan from the wastewater accounts under this Subchapter. Such measures may be included in, but are not restricted to, Special Orders. Special Orders by Consent, Judicial Orders, or issued or proposed permits, permit modifications or certificates.
- (14) "Project" means the works described in the application for a loan under this Subchapter.
- (15) "Priority period" means priority review period of January 1 to June 30 and July 1 to December 31 of each year.
- (16) "Real property" means land and structures affixed to the land having the nature of real property or interests in land including easements or other rights-of-way purchased or acquired for facilities and works to be constructed as a part of the project for which a loan is made under this Subchapter.
- (17) "Receiving agency" means the Division of Environmental Health with respect to receipt of applications for loans for water supply systems, and the Environmental Management Commission and the Division of Environmental Management with respect to receipt of applications for loans for wastewater systems.
- (18) "Regional water supply system" means means: a public water supply system of a municipality, county, sanitary district, or other political subdivision of the state or combination thereof which provides, is intended to provide, or is capable of providing an adequate and safe supply of water to a substantial portion of the population within a county, or to a substantial water service area in a region composed of all or parts of two or more counties, or to a

metropolitan area in two or more counties.

- (a) A public water system that serves two local units of government, or
- (b) A public water system that demonstrates each of the following:
  - (i) A specific plan to provide drinking water throughout the territory of a local unit of government, except that a municipality shall also demonstrate a specific plan to provide drinking water outside its extraterritorial jurisdiction;
  - (ii) Shares water supply facility resources with another public water system or eliminate an acute/imminent, immediate, chronic, or potential health hazard as described in Rule .0701 (a) through (d) of this Subchapter in an area containing at least 15 residential units which is not served by a public water system; and
  - (iii) An interlocal agreement or joint resolution to be a part of an interconnected regional water system within 10 years.
- (19) "Regional wastewater management authority" means a unit of government which has jurisdiction for providing the wastewater treatment works for three or more units of government, or which has responsibility within a facility planning area to carry out the operation and maintenance of all publicly-owned wastewater treatment works. "Regional wastewater system" means a public wastewater collection or treatment system of a municipality, county, sanitary district, or other political subdivision of the State or combination thereof that serves two or more units of government.
- (20) "Water Reclamation" means the production of a high level treated effluent as a reusable, non-potable water source.
- (21) "Water Reuse" means the actual use or application of treated wastewater in or on areas which require water but do not require potable water quality.

Authority S.L. 1998, c. 132, s. 10.

## SECTION .0200 - ELIGIBILITY REQUIREMENTS

### .0203 LIMITATION OF LOANS

~~The maximum principal amount of loan commitment made to any one local government unit shall be five million dollars (\$5,000,000) for wastewater treatment systems and wastewater collection systems and three million dollars (\$3,000,000) for water supply systems or water conservation projects.~~

Authority S.L. 1998, c. 132, s. 10.

## SECTION .0300 - APPLICATIONS

### .0303 FILING OF REQUIRED SUPPLEMENTAL



**INFORMATION**

(a) An environmental assessment for the proposed project must accompany the required wastewater facility plan. It must accompany the water supply facility plan when required by G.S. 113(a).

(b) All applicants must submit an Affidavit of Publication of the notice of public hearing for the proposed project and a summary of the comments received at the hearing.

(c) Any application for wastewater facilities not accompanied by final plans and specifications by the date the receiving agency sets the priority rating for a priority review period shall not be included in the priority rating for that priority review period.

(d) Any application for water supply facilities projects must be accompanied by a preliminary engineering report.

(e) Any applicant for water supply projects not demonstrating approval of plans and specifications within four months from the end of the priority rating period shall be transferred to the next priority rating period for consideration unless this review is the second review in which case a new application shall be required for further consideration.

(f) Any application that is not accompanied by an adopted resolution stating that the unit of government has complied or will comply with all applicable federal, state and local laws or rules shall not be included in the priority rating for that priority review period. Such resolution shall be certified or attested to as a true and correct copy as adopted.

(g) If a public hearing is held on an application by the Department of ~~Environment, Health, Environment~~ and Natural Resources; the application shall not be included in the priority rating unless the hearing process is concluded by the date the receiving agency sets the priority rating for the priority review period.

(h) A certification shall be submitted from the local unit stating whether a petition for vote was filed within 15 days of the applicant's public hearing.

(i) A certification shall be submitted by the local government unit stating that it will be in compliance with verifiable Minority Business Enterprise goals as stated in G.S. 143-128(e). 143-128.

*Authority S.L. 1988, c. 132, s. 10.*

**SECTION .0500 - PRIORITY CRITERIA FOR WASTEWATER TREATMENT WORKS PROJECTS**

**.0501 APPLICABLE CONDITIONS**

Maximum Value - ~~55~~ 65 points:

The value of this Rule will be the sum of the points assigned under Items (1), (2), (3) and (4) of this Rule.

- (1) Proposed project will comply with established water quality standards and priority points will be assigned on the basis of the classification assigned to the receiving waters as follows:
  - (a) Class "SA" (Shellfish Waters), Class "WS-I" or "WS-II" (Water Supply Source), Class "ORW" (Outstanding Resource Waters), or "HQW" (High Quality Waters). 30 20 points
  - (b) Class "WS-III", "WS-IV", or "WS-V" (Water Supply

- Source) 28 15 points
- (c) Class "B" or "SB" (Bathing Waters) 26 10 points
- (d) Class "C" or "SC" (Fishing) 24 5 points
- (2) ~~Construction of proposed project has been initiated or must be initiated within 12 months to comply with an order issued or with a compliance schedule approved by the Environmental Management Commission, or by Judicial Order. Proposed projects will provide for a regional wastewater collection or treatment system.~~ 40 15 points
- (3) ~~Proposed projects will provide for a regional wastewater treatment facility.~~ 40 points
- (4)(3) Proposed project will provide wastewater treatment processes for the removal of ~~nutrients or other materials not normally removed by conventional treatment processes.~~ 5 points
- (4) Proposed project will result in a reduction of the overall volume of effluent discharged to the state's waters by using alternative methods of wastewater treatment and disposal. 25 points

*Authority S.L.1988, c. 132, s. 10.*

**.0503 FISCAL RESPONSIBILITY OF THE APPLICANT**

Maximum Value-~~40~~ 25 points:

The value of this Rule will be the sum of the points assigned to either Item (1) or (2) of this Rule plus the value assigned to Items (3) and (4) of this Rule:

- (1) Applicant has adopted an acceptable sewer use ordinance which will be placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the ~~project.~~ project; or 6 points
- (2) Applicant is in the process of adopting an acceptable sewer use ordinance which will be adopted and placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the project. 2 points
- (3) Applicant has established by resolution of its governing body a capital reserve fund into which all surplus revenues from such charges and fees will be placed for the purposes specified in G.S. 159G-9(4). (Copy of the resolution must be submitted with application.) 2 4 points
- (4) The applicant has followed proper accounting and fiscal reporting procedures as evidenced by the applicant's most recent report of audit and the



applicant is in ~~substantial~~ compliance with provisions of the general fiscal control laws of the state. 2 15 points

The Environmental Management Commission may seek the comments of the Secretary of the Local Government Commission in determining the values to be assigned to Items (3) and (4) of this Rule.

*Authority: S.L. 1998, c. 132, s. 10.*

## **SECTION .0600 - PRIORITY CRITERIA FOR WASTEWATER COLLECTION SYSTEM PROJECTS**

### **.0601 PUBLIC NEED**

Select One; Maximum Value--25 points:

- (1) Project is intended to improve or expand an existing system for which adequate wastewater treatment facilities will be provided by:
  - (a) a regional wastewater ~~management authority,~~ system. 25 points
  - (b) the applicant, 20 points
- (2) Project is intended to provide a basic system for a unit of government which is not presently served by an approved system and adequate wastewater treatment will be provided by:
  - (a) a regional wastewater ~~management authority,~~ system. 20 points
  - (b) the applicant. 15 points

*Authority: S.L. 1998, c. 132, s. 10.*

### **.0604 FISCAL RESPONSIBILITY OF THE APPLICANT**

Maximum Value--~~40~~ 25 points:

The value of this Rule will be the sum of the points assigned to either Item (1) or (2) plus the value assigned to Items (3) and (4) of this Rule:

- (1) Applicant has adopted an acceptable sewer use ordinance which will be placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges, providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation, and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the ~~project.~~ project; or 6 points
- (2) Applicant is in the process of adopting an acceptable sewer use ordinance which will be adopted and placed in effect on or before the completion date of the proposed project and has established an equitable schedule of fees and charges, providing that each category of users shall pay ~~substantially~~ its proportional part of the total cost of the operation and which will provide sufficient revenues for the adequate operation, maintenance and administration and for reasonable expansion of the project. 2 points
- (3) Applicant has established by resolution of the

governing body a capital reserve fund into which all surplus revenues from such charges and fees will be placed for the purposes specified in G.S. 159G-9(4). (Copy of the resolution must be submitted with application.) 2 4 points

- (4) The applicant has followed proper accounting and fiscal reporting procedures, as evidenced by the applicant's most recent report of audit, and the applicant is in ~~substantial~~ compliance with provisions of the general fiscal control laws of the state. 2 15 points

The Division of Environmental Management may seek the comments of the Secretary of the Local Government Commission in determining the values to be assigned to Items (3) and (4) of this Rule.

*Authority: S.L. 1998, c. 132, s. 10.*

## **SECTION .0700 - PRIORITY CRITERIA FOR WATER SUPPLY SYSTEMS PROJECTS**

### **.0701 PUBLIC NECESSITY: HEALTH: SAFETY AND WELFARE**

Maximum Value--~~80~~ 100 points:

- (1) System and Service Area Needs: (Maximum Points--20)
  - (a) The project is intended to increase the source of water to meet existing service area needs or to alleviate water shortage problems. 12 points
  - (b) The project is intended to improve an existing system with no increase in the area to be served. 12 points
  - (c) The project is intended to increase the existing area to be served without improvement of the existing system. 12 points
  - (d) The project is intended to increase the existing area to be served and includes ~~needed~~ improvements to the existing system. 16 points
  - (e) The project is intended to ~~significantly~~ increase the existing area to be served and includes ~~needed~~ improvements to the existing system and either is a component of or will create a regional water supply system. ~~or is so designed as to permit interconnection at an appropriate time with an expanding metropolitan area-wide or regional system.~~ 20 points
  - (f) The project is intended to provide for construction of a basic system for an area which is not presently served by an approved public water supply system and service by an existing system is not feasible. 20 points
- (2) Public Health Need (A maximum of ~~40~~ points shall be awarded if more than one item applies.). The project is intended to eliminate the following health risks:
  - (a) ~~Contaminant levels in drinking water which constitute acute health risks as defined in 40 CFR 141.32(a)(1)(iii) which is incorporated by reference at 15A NCAC 18C .1523.~~ 40 points

- (b) ~~Unreasonable risks to health from contaminant levels in drinking water as determined by the U.S. Environmental Protection Agency or the Environmental Epidemiology Section of the Department of Environment, Health, and Natural Resources pursuant to the Guidance in Developing Health Criteria for Determining Unreasonable Risk to Health as published by the Office of Drinking Water, U.S. Environmental Protection Agency, Washington, D.C. 20460 and hereby incorporated by reference including any subsequent amendments and editions. This material is available for inspection at the Department of Environment, Health, and Natural Resources, Division of Environmental Health, 1330 St. Mary's Street, Raleigh, North Carolina. Copies may be obtained from the Department of Environment, Health, and Natural Resources, Division of Environmental Health, Public Water Supply Section, P.O. Box 19536, Raleigh, North Carolina 27626-0536 at no charge unless subsequent editions exceed 100 pages.~~ 35 points
- (c) ~~Contaminant levels in drinking water other than those which constitute acute health risks described in Sub-item (2)(a) of this Rule.~~ 30 points
- (d) ~~Inadequate treatment to remove or abate contaminant levels in drinking water.~~ 30 points
- (e) ~~Insufficient water for drinking or for sewage disposal purposes or inadequate water pressure to prevent contaminant levels in drinking water.~~ 20 points
- Notwithstanding other provisions relating to the assignment of priority point values for various categorical elements and items, the Division of Environmental Health may award a higher priority value to an eligible application if the proposed project is required to eliminate a demonstrated or critical hazard to the public health.
- (2) Public health and compliance points may be awarded to a project based on the following criteria. A proposed project shall be necessary to facilitate compliance with the N.C. Drinking Water Act or the federal Safe Drinking Water Act and to alleviate the type of public health concern for which points are awarded. A project shall receive only points in the highest sub-category for which it may qualify:
- (a) Acute/Imminent Health Hazards. A maximum of 60 points shall be awarded to projects that propose to eliminate any one or more of the following acute, ongoing health hazards to the consumer:
- (i) Projects that address documented nitrate, nitrite or fecal coliform MCL violations, or contaminant levels in drinking water which constitute acute health risks as defined in 40 C.F.R. 141.32(a)(1)(iii) which is incorporated by reference at 15A NCAC 18C .1523; or
- (ii) Projects that eliminate any contaminant in the public water system that poses an acute risk or imminent hazard to public health as determined by the State Health Director or a health risk assessment from the Division of Epidemiology, Department of Health and Human Services in accordance with G.S. 130A-2(3).
- (b) Immediate Health Hazards. A maximum of 40 points shall be awarded to projects that propose to eliminate any one or more of the following immediate health hazards to the consumer:
- (i) Projects that address surface water treatment technique violations occurring for two or more consecutive months;
- (ii) Projects that resolve any microbiological MCL problems for a water system with three or more microbiological MCL violations during the previous 12 months;
- (iii) Projects that propose filtration for a surface water source or for a well that is determined to be under the direct influence of surface water by the Department that does not currently have filtration;
- (iv) Projects that address the inability of a public water system to inactivate giardia and viruses in accordance with 15A NCAC 18C .2001; or
- (v) Projects that address documented recurrent water outages or low pressure below the requirements of 15A NCAC 18C .0901. Only problems that affect human consumption of drinking water shall be considered for award of points under this criteria.
- (c) Chronic Health Hazards. A maximum of 24 points shall be awarded to projects that propose to eliminate any one or more of the following chronic health hazards to the consumer:
- (i) Projects that address exceedances of the lead and copper action levels under 15A NCAC 18C .1507;
- (ii) Projects that address violations of inorganic or organic chemical or contaminant MCLs under 15A NCAC 18C .1510, .1517, and .1518;
- (iii) Projects that address violations of radiological contamination MCLs under 15A NCAC 18C .1520 and .1521; or
- (iv) Projects that address a chronic health



hazard as determined by the State Health Director or a health risk assessment from the Division of Epidemiology, Department of Health and Human Services.

(d) Potential Health Hazards. A maximum of 16 points shall be awarded to projects that propose to eliminate any one or more of following potential health hazards to the consumer:

- (i) Projects that address low chlorine residuals in the distribution system;
- (ii) Projects that address periodic violations of an MCL;
- (iii) Projects for line installation or extensions to areas with poor water quality or limited quantity;
- (iv) Projects to develop new sources of water, to augment existing sources, or to expand treatment capacity to meet current demand when the average daily demand for the previous 12 months equals or exceeds the available water supply as calculated in local water supply plans prepared in accordance with G.S. 143-355(l) or the maximum day demand for the previous 12 months equals or exceeds the approved water treatment plant design capacity; or
- (v) Projects to provide disinfection for a system that currently does not have disinfection.

(e) System Improvements. A maximum of 8 points shall be awarded for projects that shall provide any one or more of the following general system improvements when needed for public health purposes:

- (i) Projects that replace water supply production or treatment equipment that is undersized, malfunctioning or has exceeded its useful life;
- (ii) Projects that replace undersized or leaking water lines;
- (iii) Projects that address other water quality concerns such as iron, manganese, taste, and odor;
- (iv) Projects to bring existing facilities to current design standards which affect water quality such as treatment, chemical storage and application, pumping facilities, finished storage, distribution systems;
- (v) Projects that eliminate dead ends and provide looping in a distribution system;
- (vi) Projects that increase water storage capacity;
- (vii) Projects to develop new sources of water, to augment existing sources, or to expand treatment capacity to meet

current demand when the average daily demand for the previous 12 months exceeds 80 percent of the available water supply as calculated in local water supply plans prepared in accordance with G.S. 143-355(l) or the maximum day demand for the previous 12 months exceeds 80 percent of the approved water treatment plant design capacity; or

(viii) Projects for installation or upgrade of water treatment plant waste disposal facilities.

(3) Capacity for Future Growth (Select One) - (Maximum Points --20):

- (a) The project is intended to provide for the immediate needs. 6 points
- (b) The project is intended to provide for the reasonable growth needs of the area during the next 5 to 20 year planning period. 10 points
- (c) The project is a proposed regional system or a major component of a regional system which is intended to provide for the reasonable growth needs of the area to be served during the next 20 or more years. 20 points

*Authority S.L. 1998, c. 132, s. 10.*

## **SECTION .0800 - CRITERIA FOR WATER CONSERVATION**

### **.0801 PLANNING AND WATER CONSERVATION**

Maximum value - 80 points:

- (a) Applicant may receive a maximum of 15 bonus points for meeting the following criteria as applicable:
  - (1) Applicant demonstrates it has a continuing I/I program in its wastewater sewer maintenance program. (Wastewater Projects Only) 5 points
  - (2) Applicant demonstrates it has a continuing water loss program in its water supply system program. (Water Supply Projects Only) 5 points
  - (3) Applicant demonstrates it has a continuing program of water conservation education and information. 5 points
  - (4) Applicant demonstrates it has established a water conservation incentive rate structure; created incentives for new or replacement installation of low flow faucets, shower heads, and toilets; or has a water reclamation or reuse system. 5 points
- (b) Applicant may also receive a maximum of 25 bonus points for meeting the following criteria:
  - (1) Applicant demonstrates that it has adopted a comprehensive land-use plan that meets the requirements of G.S. 155H, Article 18 or G.S. 160A, Article 19, or applicant is a local government unit that is not authorized to adopt



- a comprehensive land-use plan but that is located in whole or in part in another local government unit that has adopted a comprehensive land-use plan, and that the proposed project is consistent with the plan. 7 points
- (2) Applicant demonstrates that the comprehensive land-use plan exceeds the minimum state standards for the protection of water resources. 8 points
- (3) Applicant demonstrates that actions have been taken toward implementation of the comprehensive land-use plan. These actions may include the adoption of a zoning ordinance or any other measure that significantly contributes to the implementation of the comprehensive land-use plan. 10 points
- (c) Applicant may receive a maximum of 20 bonus points for the following criteria:
- (1) Applicant has developed a capital improvement plan as defined in Session Laws 1998, Chapter 132. 15 points
- (2) Proposed project is consistent with the water supply watershed protection requirements of G.S. 143-214.5. 5 points
- (d) Applicant may receive a maximum of 20 bonus points for the following criteria:
- (1) Applicant demonstrates voluntary water supply watershed protection activities in excess of the minimum requirements of G.S. 143-214.5, or 15 points
- (2) Applicant demonstrates it has developed a voluntary wellhead protection program, or 15 points
- (3) Applicant demonstrates it has both Subparagraphs (1) and (2) of this Paragraph. 20 points

Authority S.L. 1998, c. 132, s. 10.

## SECTION .0900 - PRIORITIES

### .0902 ASSIGNMENT OF WASTEWATER APPLICATIONS

(a) Applications for loans for wastewater projects will be assigned a category as follows, during review of the applications:

- (1) All applications for projects that are under orders or ~~projects whose receiving waters have been designated Nutrient Sensitive Waters by the Environmental Management Commission or whose receiving waters have been identified as water quality impaired or limited in the most current basinwide water quality management report, under moratorium, at or above 80% of permitted capacity during the previous calendar year, experiencing excessive infiltration/inflow, or that would qualify for an Emergency Loan under Section .0204 of these Rules,~~

and that have submitted final project plans and specifications for review and approval by the receiving agency, shall be placed in Category 1.

- (2) ~~All other applications shall be placed in Category 2. All applications for projects that are under orders, under moratorium, at or above 80% permitted capacity during the previous calendar year, experiencing excessive infiltration/inflow, or that would qualify for an Emergency Loan under Rule .0204 of these Rules that have not submitted final project plans and specifications for review and approval by the receiving agency shall be placed in Category 2.~~
- (3) All applications for projects for expanding infrastructure primarily to support additional development and that have submitted final project plans and specifications for review and approval by the receiving agency, shall be placed in Category 3.
- (4) All applications for projects for expanding infrastructure primarily to support additional development that have not submitted final project plans and specifications for review and approval by the receiving agency shall be placed in Category 4.

(b) All applications in Category 1 for a specific wastewater account will be funded before applications in Category 2; 2 in the same account. All applications in Category 2 for a specific wastewater account will be funded before applications in Category 3 in the same account. All applications in Category 3 will be funded before applications in Category 4 in the same account.

Authority S.L. 1998, c. 132, s. 10.

## SECTION .1000 - LOAN AWARD, COMMITMENT, AND DISBURSEMENT

### .1003 CRITERIA FOR LOAN ADJUSTMENTS

Upon receipt of bids, a loan commitment for water supply projects may be adjusted as follows:

- (1) The loan commitment may be decreased, provided the project cost as bid is less than the estimated project cost, and the receiving agency approves the loan commitment decrease.
- (2) Loan commitments may be increased, by a maximum of ten percent ~~or three hundred thousand dollars (\$300,000.00)~~ provided: the project cost as bid is greater than the estimated project cost; the project as bid is in accordance with the project for which the loan commitment was made; the receiving agency has reviewed the bids and determined that substantial cost savings would not be available through project revisions without jeopardizing the integrity of the project; and adequate funds are available.
- (3) Increases greater than 10 percent of the loan commitment shall be approved by the receiving agency and the Local Government Commission.

Authority S.L. 1998, c. 132, s. 10.

**.1004 DISBURSEMENT OF LOANS**

(a) Disbursement of loan monies shall be made at intervals as work progresses and expenses are incurred. No disbursement shall be made until the receiving agency receives documentation of incurred costs. At no time shall disbursement exceed the allowable costs which have been incurred at that time.

(b) Project inspection will confirm work progress, and a final inspection is required prior to the final disbursement of loan monies.

(c) No disbursement shall be made until the receiving agency receives documentation of compliance with the verifiable percentage goal for participation by minority businesses in accordance with G.S. 143-128(c).

(d) The receiving agency will notify the ~~Fiscal Management Office of the Controller~~ of the Department of ~~Environment, Health, Environment~~ and Natural Resources to make loan disbursements. A check in the amount of the disbursement authorized by the receiving agency will be written to the recipient by the ~~Fiscal Management Office, Office of the Controller. The check will be forwarded to the recipient by the receiving agency.~~

Authority S.L. 1998, c. 132, s. 10.

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**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10B.0115. Notice of Rule-making Proceedings was published in the Register on March 15, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 7:00 p.m. on June 15, 1999 at the Avery County Board of Commissioners Meeting Room, 175 Linville Street, Newland, NC 28657.

**Reason for Proposed Action:** To set/amend the rules for shining lights in deer areas which are necessary to manage and conserve the resource. The Wildlife Resources Commission may adopt this as a temporary rule pursuant to G.S. 150B-21.1(a1) following the abbreviated notice as indicated in the Notice of Rule-making Proceedings or following the public hearing and public comment period as indicated in this notice.

**Comment Procedures:** Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments from May 14, 1999 to June 23, 1999. Such written comments must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 North Salisbury Street, Raleigh, NC 27604-1188.

**Fiscal Note:** This Rule does not affect the expenditures or revenues of state or local government funds and does not have

a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**SUBCHAPTER 10B - HUNTING AND TRAPPING**

**SECTION .0100 - GENERAL REGULATIONS**

**.0115 SHINING LIGHTS IN DEER AREAS**

(a) It having been found upon sufficient evidence that certain areas frequented by deer are subject to substantial unlawful night deer hunting, or that residents in such areas have been greatly inconvenienced by persons shining lights on deer, or both, the shining of lights on deer in such areas is limited by Paragraphs (b) and (c) of this Rule, subject to the exceptions contained in Paragraph (d) of this Rule.

(b) No person shall, between the hours of 11:00 p.m. and one-half hour before sunrise, intentionally shine a light upon a deer or intentionally sweep a light in search of deer in the indicated portions of the following counties:

- (1) Beaufort -- entire county;
- (2) Bladen -- entire county;
- (3) Brunswick -- entire county;
- (4) Camden -- entire county;
- (5) Chowan -- entire county;
- (6) Currituck -- entire county;
- (7) Duplin -- entire county;
- (8) Franklin -- entire county;
- (9) Gates -- entire county;
- (10) Greene -- entire county;
- (11) Hertford -- entire county;
- (12) Hyde -- entire county;
- (13) Jones -- entire county;
- (14) Lenoir -- entire county;
- (15) Martin -- entire county;
- (16) Nash -- entire county;
- (17) Pamlico -- entire county;
- (18) Pasquotank -- entire county;
- (19) Pender -- entire county;
- (20) Perquimans -- entire county;
- (21) Pitt -- entire county;
- (22) Sampson -- entire county;
- (23) Tyrrell -- entire county;
- (24) Vance -- entire county;
- (25) Wake -- entire county;
- (26) Warren -- entire county;
- (27) Washington -- entire county;
- (28) Wayne -- entire county.

(c) No person shall, between the hours of one-half hour after sunset and one-half hour before sunrise, intentionally shine a light upon a deer or intentionally sweep a light in search of deer in the indicated portions of the following counties:

- (1) Alamance -- entire county;
- (2) Alexander -- entire county;
- (3) Alleghany -- entire county;
- (4) Anson -- entire county;
- (5) Ashe -- entire county;
- (6) Avery -- ~~that portion south and east of Highway 221;~~  
entire county;



- (7) Buncombe County -- entire county;
- (8) Burke -- entire county;
- (9) Cabarrus -- entire county;
- (10) Caswell -- entire county;
- (11) Catawba -- entire county;
- (12) Chatham -- entire county;
- (13) Clay -- entire county;
- (14) Cleveland -- entire county;
- (15) Cumberland -- entire county;
- (16) Davidson -- entire county;
- (17) Davie -- entire county;
- (18) Durham -- entire county;
- (19) Edgecombe -- entire county;
- (20) Forsyth County -- entire county;
- (21) Gaston -- entire county;
- (22) Granville -- entire county;
- (23) Guilford -- entire county;
- (24) Halifax -- entire county;
- (25) Harnett -- entire county;
- (26) Henderson -- entire county;
- (27) Hoke -- entire county;
- (28) Iredell -- entire county;
- (29) Johnston -- entire county;
- (30) Lee -- entire county;
- (31) Lincoln -- entire county;
- (32) Macon -- entire county;
- (33) McDowell -- entire county;
- (34) Mecklenburg -- entire county;
- (35) Mitchell -- entire county;
- (36) Montgomery -- entire county;
- (37) Northampton -- entire county;
- (38) Orange County -- entire county;
- (39) Person -- entire county;
- (40) Polk -- entire county;
- (41) Randolph -- entire county;
- (42) Robeson County -- entire county;
- (43) Rockingham -- entire county;
- (44) Rowan -- entire county;
- (45) Rutherford -- entire county;
- (46) Stanly -- entire county;
- (47) Stokes -- entire county;
- (48) Surry -- entire county;
- (49) Swain -- entire county;
- (50) Transylvania -- entire county;
- (51) Union -- entire county;
- (52) Watauga -- entire county;
- (53) Yancey -- entire county.

(d) Paragraphs (b) and (c) of this Rule shall not be construed to prevent:

- (1) the lawful hunting of raccoon or opossum during open season with artificial lights designed or commonly used in taking raccoon and opossum at night;
- (2) the necessary shining of lights by landholders on their own lands;
- (3) the shining of lights necessary to normal travel by motor vehicles on roads or highways; or
- (4) the use of lights by campers and others who are legitimately in such areas for other reasons and who

are not attempting to attract or to immobilize deer by the use of lights.

*Authority G.S. 113-134; 113-291.1; S.L. 1981, c. 410; S.L. 1981 (Second Session 1982), c. 1180.*

## TITLE 19A - DEPARTMENT OF TRANSPORTATION

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Transportation - Division of Motor Vehicles intends to amend the rules cited as 19A NCAC 31.0207, .0301-.0302, .0307, .0401-.0402, .0501, .0601, .0701, .0804. Notice of Rule-making Proceedings was published in the Register on February 15, 1999.

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): A demand for a public hearing must be made in writing and mailed to Emily Lee, N.C. Department of Transportation, PO Box 25201, Raleigh, NC 27611. The demand must be received within 15 days of this Notice.

**Reason for Proposed Action:** Rules are proposed for amendment to reflect current trends in commercial driver training schools. Commercial schools which originally taught adult driver training now contract with local school boards to teach beginning drivers. Proposed amendments will bring the DMV rules into compliance with the State Board of Education driver training rules.

**Comment Procedures:** Any interested person may submit written comments on the proposed rules by mailing the comments to Emily Lee, N.C. Department of Transportation, PO Box 25201, Raleigh, NC 27611 within 30 days after the proposed rules are published or until the date of any public hearing held on the proposed rules, whichever is longer.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds and do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

## SUBCHAPTER 31 - RULES AND REGULATIONS GOVERNING THE LICENSING OF COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTIONS

### SECTION .0200 - REQUIREMENTS AND APPLICATIONS FOR COMMERCIAL DRIVER TRAINING SCHOOLS

#### .0207 BRANCH OFFICES

Any school desiring to open a branch shall make application for such branch on forms furnished by the Division in the same manner and to the same extent as for an original license. A



commercial driver training school may operate a branch office anywhere in the state ~~provided provided:~~

- (4) ~~The the~~ branch meets all the requirements of the principal place of ~~business, business; and~~
- (2) ~~The branch is properly identified as a "branch office" by a permanent sign which indicates the location of the principal place of business and which is visible to the general public.~~

*Authority G.S. 20-322 through 20-324.*

## **SECTION .0300 - SCHOOL LOCATION: PHYSICAL FACILITIES: AND COURSE OF INSTRUCTION**

### **.0301 GENERAL PROVISIONS**

Every school shall maintain a ~~principal place of business~~ office open to the public in a permanent-type building. Schools or branches may not be located within or adjacent to a building in which applications for driver licenses are received by the Division; and no business may be solicited on property occupied by or adjacent to a building in which applications for driver's licenses are received by the Division.

*Authority G.S. 20-322 through 20-324.*

### **.0302 OFFICE**

The office shall be the principal place of business, ~~in the same location as but physically separated from the classroom facility;~~ and must be sufficient for conducting all business related to the operation of the school including, but not limited to:

- (1) facilities for conducting personal interviews;
- (2) storage of all records required for the operation of the school;
- (3) secretarial or telephone answering service available for a minimum of six hours between 9:00 a.m. and 5:00 p.m. on normal business days;
- (4) a copy of North Carolina Motor Vehicle Laws Chapter 20 of the General Statutes; ~~and Statutes.~~
- (5) if located in conjunction with classroom facilities, office must be separated by a physical barrier.

*Authority G.S. 20-322 through 20-324.*

### **.0307 COURSES OF INSTRUCTION**

Commercial driver training schools are authorized to teach the following courses:

- (1) For unlicensed persons 18 years of age or older, a course as follows:
  - (a) Classroom Instruction. A minimum of six hours, including (but not limited to) rules of the road and other laws affecting the operation of motor vehicles, safe driving practices, pedestrian safety, and the general responsibilities of the driver. No class may consist of more than 50 students. Classroom work shall be limited to no more than six hours per day.
  - (b) Behind-the-Wheel Instruction. A minimum of

six hours, including instruction and practice in all the basic physical skills necessary for proper control of a motor vehicle in all normal driving situations, such as starting, stopping, steering and turning, controlling the vehicle in traffic, backing, and parking. A valid learner's permit issued by the Driver License Section of the Division is required.

- (c) A person holding a valid learner's permit issued by the Driver License Section of the Division shall not be required to take the six hours of classroom instruction set forth in Sub-item (1)(a) of this Rule.
- (d) A person holding a valid learner's permit or driver's license issued by the Driver License Section of the Division may contract for any portion of the six-hour behind-the-wheel instruction.

- (2) For licensed persons a course for purposes of driver improvement, such as improving their knowledge and skill in the operation of a motor vehicle.
- (3) For unlicensed persons under the age of 18 years, a course which must be approved by the Commissioner and the State Superintendent of Public Instruction as follows:

- (a) Classroom Instruction shall not include workbook assignments or other work out of the presence of an instructor. An instructor or employee of a commercial driver education school shall not administer a proficiency test. No class may consist of more than 50 students. Classroom work shall be limited to no more than three hours per day on school days and six hours per day on non-school days. A minimum of 30 hours shall be taught, consisting of instruction in:

- (i) highway transportation: its social and economic influences upon life in America;
- (ii) drivers: their physical and mental characteristics and how their capabilities and limitations influence the traffic scene;
- (iii) the automobile: its construction, maintenance, and safe operation;
- (iv) traffic law and enforcement: laws of nature and man-made laws; and their relationship to traffic safety;
- (v) pedestrians and bicycles: their influence upon the traffic scene;
- (vi) engineering: its influence upon automobiles, highways, traffic controls, and people;
- (vii) driving while impaired; six hours of instruction on the effects of drinking upon driving and upon accident and death rates; and
- (viii) rights and privileges of handicapped

- persons; their rights to use flags, placards, cards, license plates, and parking places.
- (b) Behind-the-Wheel Instruction. A minimum of six hours, actually under the wheel, including:
- (i) familiarization with the automobile; the use of its controls; and the development of skills essential to safe operation in traffic; ~~and~~
  - (ii) driving in traffic with the instructor in a dual control car to develop abilities needed to follow the soundest course of action in responding to complex ~~situations; and~~
  - (iii) simulators may not be substituted for any part of the six hours of behind-the-wheel instruction.
- (c) Restrictions:
- (i) Behind-the-Wheel instruction shall be offered to a student only after he has completed the classwork section. If a student has contracted for both classwork and behind-the-wheel training, behind-the-wheel training may begin after classwork starts and before classwork has been completed. At no time shall a student be taken out of class to attend behind-the-wheel training.
  - (ii) No student shall operate a motor vehicle upon any public street or highway unless such student shall have in his immediate possession a valid Restricted Instruction Permit issued by the Division.
  - (iii) No more than ~~three~~ two hours of behind-the-wheel training shall be given in any one day. A written record indicating the date and time of this training shall be kept on file for each student. The record must be signed by the student in ink after each driving session, and shall not include any hours of observation of other students, i.e. mere presence in the car while someone else is driving.
  - (iv) Whether private, or a contract with a school system, an instructor may not provide behind-the-wheel training to more than three individuals. If transporting more than three individual students the instructor shall operate the vehicle.
- (d) Other requirements:
- (i) Plans for the content of the curriculum, its organization, and presentation shall be submitted on Form SBTS-610 for the approval of the Commissioner and the State Superintendent of Public Instruction. In addition, lesson plans for each of the 30 hours must be submitted.
  - (ii) Textbooks for use in the classwork section shall be chosen from those approved by the State Superintendent of Public Instruction.
  - (iii) Instructors must be approved by both the Commissioner and the State Superintendent of Public Instruction.
  - (iv) All expenses incurred in offering and teaching these courses shall be paid by the persons enrolled therein or the school offering the course.
  - (v) A student may enroll for either the classroom work or behind-the-wheel instruction, or both. A school may accept certification of completion of classroom instruction from any school authorized to offer such a course, provided the certificate (Form SBTS-611A) is signed by the principal of the public school, or the superintendent of the administrative unit of which it is a part, or the executive officer of a non-public secondary school. All SBTS-611A forms shall be mailed or taken directly to the high school for completion by the commercial school owner or instructor. Under no circumstances shall the form be given to the student.
  - (vi) Schools offering this course shall issue to their students upon completion of either or both parts of the course a certificate furnished by the Division (Form SBTS-611). This certificate verifies only the training taught by the commercial school. The student's name on this certificate must be as it appears on his birth certificate. Schools shall be accountable to the Division for all certificates issued to them.
  - (vii) The student, upon submitting certification of satisfactory completion of both parts of the driver education course, shall be eligible for licensing as provided by law. Such certification may be from either or both a public or non-public secondary school or a commercial driver training school.
  - (viii) Schools shall submit reports to the Division, as may be required by the Division; and their books and records shall be open to inspection by Division representatives at all reasonable times.
  - (e) A person completing the 30 and six hour course who desires additional training may contract for any portion of the six-hour



behind-the-wheel instruction.

- (4) For licensed persons taking a course offered by a restricted commercial driver training school, the following courses are authorized:
  - (a) curriculum for evaluation and improvement for licensed adult drivers only, utilizing over-the-road observation in vehicles not owned by the school or equipment such as driving simulators;
  - (b) professional curricula, including one or more of the following:
    - (i) police pursuit driving;
    - (ii) auto-cross driving;
    - (iii) emergency-vehicle driving; or
    - (iv) road and track racing.
- (5) Instructor training program, the requirements for which are:
  - (a) the school must be licensed one full year prior to approval;
  - (b) all work must be with an instructor licensed as an Instructor Trainer;
  - (c) a proposed plan of operation must be submitted to the Division outlining the training schedule, including instruction in:
    - (i) using effective teaching methods,
    - (ii) writing lesson plans,
    - (iii) reviewing of Rules Governing the Licensing of Commercial Driver Training Schools and Instructors,
    - (iv) using audio visual equipment and teaching aids,
    - (v) filling out fully and properly all commercial school forms, and
    - (vi) listing names of Instructor Trainers to be employed for the training program.

*Authority G.S. 20-322 through 20-324.*

## **SECTION .0400 - MOTOR VEHICLES USED IN INSTRUCTION**

### **.0401 VEHICLE EQUIPMENT**

Behind-the-wheel instruction of students in commercial driver training schools shall be conducted in motor vehicles owned or leased by the school. All vehicles used for the purpose of demonstration and practice shall:

- (1) be equipped with:
  - (a) dual controls on the foot brake;
  - (b) dual controls on the clutch, if the vehicle is equipped with a clutch and manual transmission;
  - (c) seatbelts for both the instructor and the students which shall be worn by the instructor and students while the vehicle is being used for instructional purposes;
  - (d) an outside rearview mirror mounted on the right side of the vehicle;
  - (e) a heater and defroster in working condition;

- (f) all other equipment required by Chapter 20 of the North Carolina General Statutes;
  - (g) cushions for short drivers;
  - (h) seat adjustments which allow the seat to move easily and smoothly and to be secured;
  - (i) door locks which operate and have no sharp knobs;
- (2) bear a conspicuously displayed sign with wording to alert the general public of a the words "Student Driver," "Driver" in letters not less than three inches in height, and the name and location of the school in letters not less than one and one half inches in height. name and phone number of commercial driver education school, or school system, with whom the contract is established. The required wording must be visible from both the front and rear of the vehicle.

*Authority G.S. 20-322 through 20-324.*

### **.0402 REGISTRATION: INSURANCE: INSPECTION**

(a) Each vehicle used by the school shall be registered as required by Chapter 20 of the General Statutes of North Carolina, and bear a current inspection certificate.

(b) Each vehicle used by the school shall be insured by a company licensed to do business in North Carolina against liability in the amount of at least ~~twenty~~ fifty thousand dollars ~~(\$20,000)~~ (\$50,000) because of injury to or destruction of property of others in any one accident, fifty one hundred thousand dollars ~~(\$50,000)~~ (\$100,000) because of bodily injury to or death of one person in any one accident, and one three hundred thousand dollars ~~(\$100,000)~~ (\$300,000) because of bodily injury to or death of two or more persons in any one accident. This insurance coverage shall be secured on an annual basis. In the event coverage for any vehicle used for driver instruction or training shall not be renewed, the school shall give written notice to the Division at least 10 days prior to the expiration date of the coverage. A certificate of insurance coverage shall be filed by the insurance underwriter with the Division. Cancellation shall be accomplished upon 15 days prior written notice to the Division by the insurance underwriter.

(c) Each vehicle used by a school shall be listed and inspected in the manner prescribed on Form SBTS-605. In addition, each vehicle shall be inspected and approved by a representative of the Division before it is used. Each vehicle shall be inspected and approved by a representative of the Division annually and at any other reasonable time as indicated by the circumstances.

*Authority G.S. 20-321 through 20-324.*

## **SECTION .0500 - REQUIREMENTS AND APPLICATIONS FOR DRIVER TRAINING INSTRUCTOR**

### **.0501 REQUIREMENTS**

(a) Each instructor of a commercial driver training school or branch shall:

- (1) have at least four years of experience as a licensed operator of a motor vehicle;



- (2) not have been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, in the ten years immediately preceding the date of application;
  - (3) not have had a revocation or suspension of his driver's license in the five years immediately preceding the date of application;
  - (4) have graduated from high school or hold a high school equivalency certificate;
  - (5) not have had convictions for moving violations totaling five or more points in the three years preceding the date of application;
  - (6) have completed the 80-contact-hour, community-college course for driver education teachers; an equivalent course approved by the commissioner, or an Instructor Training Program conducted by an approved Commercial Driver Training School within four years prior to application;
  - (7) successfully complete the written test administered by a Driver Education Specialist; (Allowed only one retest)
  - (8) successfully complete the Miller Road Test given by a Driver Education Specialist; (Allowed only one retest)
  - (9) be issued an instructor's learning permit, valid for given a three month probationary period; probation period until evaluated and recommended by a Driver Education Specialist;
  - (10) submit a criminal background check from the Clerk of Court for each county of residence for the past 10 years; years;
  - (11) be observed, evaluated, and recommended by a Driver Education Specialist within the three month probationary period;
  - (12) be exempt from the 80-contact-hour basic course, Miller Road Test, and the probationary period if the applicant is an accredited driver education teacher with a current certificate based on the requirements of the Department of Public Instruction and if he or she successfully completes the written Commercial Driver Education exam with a score of 80 or above, and if the test is administered by a Driver Education Specialist. The applicant is allowed only one retest.
- (b) ~~An applicant may apply for~~ An applicant will be issued an instructor's learner's permit which ~~would~~ will be valid for three months. To be eligible for an instructor's learner's permit, the applicant shall meet requirements in Paragraph (a)(1) through (6); (10) and shall:
- (1) submit an Instructor Application with ~~an eight a sixteen dollar (\$8.00) (\$16.00)~~ application fee, copy of high school diploma or high school equivalency certificate, and physical examination form;
  - (2) ~~successfully complete~~ conduct two 40 hours of classroom instruction within the three-month probationary period, while being observed and evaluated by a Driver Education Specialist, if the instructor wants to be licensed as a classroom instructor. ~~classwork as a student at an approved commercial driver training school to consist of:~~
- (A) ~~30 hours in the basic driver education classwork;~~
  - (B) ~~an additional 10 hours in practice teaching, writing lesson plans, reviewing the rules of this Subchapter, use of audio visual equipment and teaching aids and familiarization with commercial school forms;~~
- (3) ~~successfully complete six~~ conduct two hours of behind-the-wheel instruction within the three-month probationary period, while being observed and evaluated by a Driver Education Specialist, if the instructor wants to be licensed for behind the wheel instruction; training as a student at an approved commercial driver training school;
  - (4) ~~successfully complete six hours of observation of behind the wheel instruction of a new driver by a licensed instructor-trainer; be recommended by a Driver Education Specialist to receive an instructor's license;~~
  - (5) ~~successfully complete the written test administered by a Driver Education Specialist; (Allowed only one retest)~~ be exempt from Paragraph (b)(2), (3), and (4) of this Rule if the applicant is an accredited driver education teacher with a current certificate based on the requirements of the Department of Public Instruction; Instruction.
  - (6) ~~successfully complete the Miller Road Test given by a Driver Education Specialist; (Allowed only one retest)~~
  - (7) shall after completing Subparagraphs (b)(1) through (6) ~~practice teach in the presence of an instructor trainer;~~
  - (8) ~~successfully complete two hours of classroom instruction while being observed by a Driver Education Specialist;~~
  - (9) ~~successfully complete two hours of behind-the-wheel instruction while being observed by a Driver Education Specialist;~~
  - (10) ~~be recommended by a Driver Education Specialist to receive an instructor's license.~~
- (c) An instructor at an approved commercial driver training school may apply for an Instructor Trainer license. The Instructor Trainer shall:
- (1) have five consecutive years as an active licensed instructor;
  - (2) submit an application for Instructor Trainer License with a fee of eight dollars (\$8.00);
  - (3) complete two hours of classroom observation by a Driver Education Specialist while training instructors, not driver education students;
  - (4) complete two hours of behind-the-wheel observation by a Driver Education Specialist while training instructors, not driver education students;
  - (5) successfully complete the written test administered by a Driver Education Specialist; (Allowed only one retest)
  - (6) successfully complete the Miller Road Test given by a Driver Education Specialist; (Allowed only one

retest)

- (7) be recommended by a Driver Education Specialist;
- (8) must requalify each school year.

*Authority G.S. 20-322; 20-323; 20-324.*

## **SECTION .0600 - CONTRACTS**

### **.0601 REQUIREMENTS**

(a) Commercial driver training school contracts with individual students, students, public schools, or private schools shall contain (but are not limited to) the following information:

- (1) the agreed total contract charges and full terms of payment thereof;
- (2) the number, nature, time and extent of lessons contracted for, including:

(A) classroom instruction:

- (i) rate per hour;
- (ii) date and time of first lesson and each subsequent lesson, the length of each lesson, and the total number of hours;
- (iii) type of instruction;
- (iv) a limit of fifty students and no more than three hours of classroom work per day on school days and six hours per day on non-school days for unlicensed individuals under the age of eighteen.

(B) behind-the-wheel instruction:

- (i) rate per hour;
- (ii) date and time of first lesson and each subsequent lesson, the length of each lesson, and the total number of hours;
- (iii) nature of lessons, whether private individual or group (~~no group may consist of more than the instructor and two students~~); group. An instructor may not provide behind-the-wheel training to more than three individual students.
- (iv) rate for use of school vehicle for a driver's license road test, if an extra charge is made;

- (3) a statement which reads substantially as follows: "This agreement constitutes the entire contract between the school and the student, and any verbal assurances or promises not contained herein shall bind neither the school nor the student."
- (4) a statement which reads as follows: "This school is licensed by the State of North Carolina, Division of Motor Vehicles."
- (5) a statement which reads as follows: "Under this agreement an instructor may not provide behind-the-wheel training to more than three individual students."

(b) If either the school or the instructor fails to comply with the provisions of any contract or agreement between the school and the student, the school shall refund, on a pro rata basis, all monies collected from the student as consideration for the performance of the contract or the agreement.

*Authority G.S. 20-322 through 20-324.*

## **SECTION .0700 - BONDING AND ADVERTISING**

### **.0701 BONDS**

Prior to license approval, a school shall file with the Division a continuous "cash" or "surety" bond written by a company licensed to do business in North Carolina in the amount of five ~~twenty~~ thousand dollars (\$20,000) (~~\$5,000~~) to indemnify any student against loss or damage arising out of the school's breach of contract between the school and the student (Form SBTS-606).

*Authority G.S. 20-322 through 20-324.*

## **SECTION .0800 - LICENSE REVOCATION OR SUSPENSION**

### **.0804 PROBATIONARY PERIOD AND FINES LEVIED**

If any school or instructor is found to be in violation of any provision of G.S. Article 14, or any provision of these Rules, the school or instructor may be placed on probation, have a fine levied against them, or both. The length of the probationary period may not exceed one year and the fine may not exceed one thousand dollars (\$1,000). The probationary period, fine, or both shall be determined by the Commissioner or the Commissioner's authorized representative. The request by a school or an instructor for a hearing shall follow the same procedure as listed in Rule .0803 of this section.

*Authority G.S. 20-321; 20-322; 20-323; 20-325.*

## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 46 - BOARD OF PHARMACY**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Pharmacy intends to adopt rule cited as 21 NCAC 46.1815. Notice of Rule-making Proceedings was published in the Register on December 1, 1998.

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): In order to demand a public hearing, a written request for public hearing must be submitted to David R. Work at the Board's office. The Board's address is P.O. Box 459, Carrboro, NC 27510-0459.

**Reason for Proposed Action:** The adoption of this rule is necessary to allow patients to obtain an emergency prescription refill when refill authorization from the prescriber is not readily obtainable due to an interruption in medical services.



**Comment Procedures:** *Written comments may be submitted to David R. Work at the Board's office. The Board's address is PO Box 459, Carrboro, NC 27510-0459.*

**Fiscal Note:** *This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

## SECTION .1800 - PRESCRIPTIONS

### **.1815 EMERGENCY PRESCRIPTION REFILL DUE TO INTERRUPTION OF MEDICAL SERVICES**

In the event a pharmacist or device and medical equipment permit holder receives a request for a prescription refill and the pharmacist or permit holder is unable to obtain readily refill authorization from the prescriber because of the prescriber's inability to provide medical services to the patient, the pharmacist or permit holder may dispense a one-time emergency supply of up to 90 days of the prescribed medication, provided that:

- (1) The prescription is not for a Schedule II controlled substance;
- (2) The medication is essential to the maintenance of life or to the continuation of therapy in a chronic condition;
- (3) In the pharmacist's or permit holder's professional judgment, the interruption of therapy might reasonably produce undesirable health consequences;
- (4) The dispensing pharmacist or permit holder creates a written order entered in the pharmacy's automated data processing system containing all of the prescription information required by Section .2300 of these Rules and signs that order;
- (5) The dispensing pharmacist or permit holder notifies, or makes a good faith attempt to notify, the prescriber or the prescriber's office of the emergency dispensing within 72 hours after such dispensing.

*Authority G.S. 90-85.6; 90-85.25; 90-85.32.*

## **TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina State Board of Community Colleges intends to adopt rules cited as 23 NCAC 2C .0503-.0505 and amend the rule cited as 23 NCAC 2B .0104. Notice of Rule-making Proceedings was published in the Register on November 16, 1998.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 10:00 a.m. on June 18, 1999 at the Caswell Building, Room 467, 200 West Jones Street, Raleigh, NC.

**Reason for Proposed Action:** *Rules 23 NCAC 2C .0503-.0505 were adopted by the State Board of Community Colleges on October 16, 1998, in response to ratified House Bills 1368, 1369 and 1541 enacted by the 1998 General Assembly. Rule 23 NCAC 2C .0503 regulates acceptance of donated property by community colleges and use of funds from the sale of donated property. Rule 23 NCAC 2C .0504 regulates state funded installment and lease purchase contracts. Rule 23 NCAC 2C .0505 sets forth the conditions under which community colleges and the Center for Applied Textile Technology may purchase supplies, equipment, and materials from non-certified sources. Rule 23 NCAC 2B .0104 clarifies the Community College System's mission by defining "opportunity" and by emphasizing the relationship with business and industry.*

**Comment Procedures:** *All persons interested in these rules may submit statements in writing from the date of this notice until the hearing on June 18, 1999, delivered or mailed to Mr. Morris W. Johnson, North Carolina Community College System, 200 W. Jones Street, Raleigh, NC 27603-1379.*

**Fiscal Note:** *These Rules, 23 NCAC 2B .0104; 2C .0503-.0505, do not affect the expenditures or revenues of state or local government funds and do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

**Editors Note:** *These rules, 23 NCAC 2C .0503-.0505 have changes from the original publication in the North Carolina Register, Volume 13, Issue 10, pages 815 and 816.*

## **SUBCHAPTER 2B - THE COMMUNITY COLLEGE SYSTEM**

### **SECTION .0100 - GENERAL PROVISIONS**

#### **.0104 MISSION OF THE COMMUNITY COLLEGE SYSTEM**

The mission of the North Carolina Community College System is to open the door to opportunity for individuals seeking to improve high quality, accessible educational opportunities that minimize barriers to post-secondary education, maximize student success, and improve their the lives and well being of individuals by providing:

- (1) education, training and retraining for the workforce, including basic skills and literacy education, occupational and pre-baccalaureate programs;
- (2) support for economic development through services to and in partnership with business and industry; and
- (3) services to communities and individuals which improve the quality of life.

*Authority G.S. 115D-1; 115D-4.1; 115D-5; 115D-8.*

## **SUBCHAPTER 2C - COLLEGES: ORGANIZATION AND OPERATION**

### **SECTION .0500 - EQUIPMENT**



**.0503 DONATED PROPERTY**

(a) A board of trustees may accept property donated to the college for any lawful educational purpose that is consistent with the mission and purpose of the community college system.

(b) ~~A college shall submit to the Department for review and approval a copy of each document intending to donate property to the college for a specific educational purpose prior to accepting the property from the donor.~~

(b) Prior to a board of trustees accepting any property that restricts the use of funds derived from the sale or lease of the property, the college shall submit to the Department a copy of the document transferring the property.

(c) Any funds derived from the sale or lease of property donated to a college for a specific educational purpose shall be used to accomplish that purpose.

*Authority G.S. 115D-15.*

**.0504 ACQUISITION OF EQUIPMENT**

(a) Boards of trustees may use state funds to support lease purchase and installment purchase contracts that exceed one hundred thousand dollars (\$100,000) or a three-year term under the following conditions:

- (1) Prior to obligating any state funds, the State Board shall approve each lease purchase or installment purchase contract.
- (2) Prior to submitting a lease purchase or installment purchase contract to the State Board for approval, the college board of trustees shall have approved the contract.

(b) A board of trustees shall not have in effect at any one time more than five state-funded contracts which are permitted under this rule.

(c) The Department shall make an annual report to the State Board on system-wide use of state-funded lease purchase and installment purchase contracts exceeding one hundred thousand dollars (\$100,000) or three-year terms. The report shall include the amount of state funds obligated for the next fiscal year.

*Authority G.S. 115D-58.5(b); 115D-58.14.*

**.0505 NONCERTIFIED SOURCE PURCHASES**

(a) Community colleges and the Center for Applied Textile Technology may purchase supplies, equipment, and materials from noncertified sources as provided in G.S. 115D-58.5 (b).

(b) Each college or center shall submit to the Department a semi-annual report showing the number of purchases made from noncertified sources for supplies, equipment, or materials; the amount of funds expended for each purchase; and the amount of funds that would have been expended under state contract.

(c) The Department shall monitor the use of noncertified source purchases and shall make an annual report to the State Board. The report shall include the number of noncertified source purchases made by the colleges and the Center for Applied Textile Technology and the amount of funds expended.

*Authority G.S. 115D-5; 115D-20; 115D-58.15.*

**TITLE 25 - OFFICE OF STATE PERSONNEL**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the State Personnel Commission intends to amend the rules cited as 25 NCAC 1B .0414, .0434; 1C .0214; 1J .0506, .0603. Notice of Rule-making Proceedings was published in the Register on March 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 10:00 a.m. on July 16, 1999 at the Administration Building, Third Floor Conference Room, 116 West Jones Street, Raleigh, NC.

**Reason for Proposed Action:** Legislation passed by the General Assembly, S.B. 78, effective August 15, 1998, added new grounds for contested cases to those listed in G.S. 126-34.1. This Act amended the State Personnel Act to establish jurisdiction for the hearing of State Employee Workplace Harassment grievances before the Office of Administrative Hearings and the State Personnel Commission. This Act was ratified in September, 1998 and became effective August 15, 1998. Due to the fact that the effective date preceded the ratification of the bill and there were already cases pending before the State Personnel Commission which were covered by this statute it was imperative for this agency to request the filing of temporary rules effective February 18, 1999.

**Comment Procedures:** Written comments may be submitted to Ms. Nellie Riley, Office of State Personnel, 116 West Jones Street, Raleigh, NC 27603. Oral comments will be received at the public hearing. Written comments must be received no later than the time of the hearing.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds and do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**SUBCHAPTER 1B - STATE PERSONNEL COMMISSION**

**SECTION .0400 - APPEAL TO COMMISSION**

**.0414 SITUATIONS IN WHICH ATTORNEY FEES MAY BE AWARDED**

Attorney's fees may be awarded by the Commission only in the following situations:

- (1) the grievant is reinstated in accordance with Rule .0428 of this Section;
- (2) the grievant is awarded back pay from either a demotion or a dismissal, without regard to whether the grievant has been reinstated;
- (3) the grievant is determined, by the Commission or by

the agency's internal grievance procedure, to have been discriminated against or harassed in violation of G.S. 126-16 or 126-36;

- (4) the grievant is awarded back pay as the result of a successful grievance alleging a violation of G.S. 126-7.1;
- (5) the grievant is the prevailing party in a final appeal of a Commission decision;
- (6) any combination of the situations listed in this Rule.

Attorney's fees may be awarded when any of the above situations occur, either within the agency internal grievance procedure, in an appeal to the State Personnel Commission, or in an appeal of a State Personnel Commission decision.

Authority G.S. 126-4(11); 126-7.1.

#### .0434 DISCRIMINATION

In those cases in which the Personnel Commission finds an act of discrimination or unlawful workplace harassment prohibited by G.S. 126-16, G.S. 126-36 or G.S. 126-36.1, the commission may order reinstatement, back pay, transfer, promotion or other appropriate remedy. The commission shall also have the authority in such cases to order other corrective remedies to ensure that the same or similar discriminatory acts do not recur.

Authority G.S. 126-4(9); 126-16; 126-36; 126-36.1.

### SUBCHAPTER 1C - PERSONNEL ADMINISTRATION

#### SECTION .0200 - GENERAL EMPLOYMENT POLICIES

#### .0214 UNLAWFUL WORKPLACE HARASSMENT

(a) Purpose. The purpose of this policy is to establish that the State of North Carolina prohibits in any form ~~the sexual unlawful workplace harassment~~ of state employees or applicants, and to require that every agency subject to the State Personnel Act establishes policies and programs to ensure that work sites are free of sexual unlawful workplace harassment.

(b) Sexual Unlawful workplace harassment is defined as ~~deliberate, unsolicited, and unwelcome verbal and/or physical speech or conduct based upon race, sex, creed, religion, national origin, age, color, or handicapping condition as defined by G.S. 168A-3 that creates a hostile work environment or circumstances involving quid pro quo; of a sexual nature or with sexual implications by a supervisor or co-worker which:~~

- (1) ~~has or may have direct employment consequences resulting from the acceptance or rejection of such conduct; or~~
- (2) ~~creates an intimidating, hostile or offensive working environment; or~~
- (3) ~~interferes with an individual's work performance.~~

- (1) Hostile Work Environment is one that both a reasonable person would find hostile or abusive and one that the particular person who is the object of the harassment perceives to be hostile or abusive. Hostile work environment is determined by looked at all of the circumstances, including the frequency of the

allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, and whether it unreasonably interferes with an employee's work performance.

- (2) Quid Pro Quo harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when:

- (A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- (B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

- (3) Retaliation is adverse action taken because of opposition to unlawful workplace harassment.

(c) Policy. The policy of the State of North Carolina is that no state employee may engage in conduct that falls under the definition of ~~sexual unlawful workplace harassment~~ indicated in Paragraph (b) of this Rule. No personnel decisions shall be made on the basis of ~~a granting or denial of sexual favors upon race, sex, creed, religion, national origin, age, color, or handicapping condition as defined by G.S. 168A-3.~~ All employees are guaranteed the right to work in an environment free from ~~sexual unlawful workplace harassment and retaliation.~~ Sexual Unlawful workplace harassment shall hereforth be deemed a form of sex discrimination prohibited by G.S. 126-16, G.S. 126-16 and G.S. 126-36.

(d) Grievances. Any current or former state employee who feels he/she has been ~~sexually harassed the victim of unlawful workplace harassment~~ in violation of this policy and G.S. 126-16 and G.S. 126-36 may file a grievance through the departmental grievance procedure. Filing such a written complaint shall be a prerequisite to any further appeal to the State Personnel Commission regarding unlawful workplace harassment. After the employee's written complaint is submitted to the department or agency, the department or agency shall have 60 days within which to consider the complaint and take appropriate remedial action, if any. Consistent with G.S. 126-34, G.S. 126-34.1, G.S. 126-36 and G.S. 126-36.1 any applicant for state employment or any current or former state employee who feels that he/she has been sexually harassed subjected to unlawful workplace harassment may appeal directly to the State Personnel Commission (such appeal consisting of a contested case hearing under G.S. 150B and a decision by the Personnel Commission) only after submitting a written complaint and waiting sixty days from the submission of the complaint, without first following the departmental grievance procedure.

(e) Departmental Plans. Each department head or university chancellor shall include as a supplement to the Affirmative Action Plan a plan setting forth the steps to be taken to prevent and correct sexual unlawful workplace harassment. Each department or university shall submit such a plan to the Office of State Personnel for review, technical assistance, and approval by the Director of State Personnel. Each plan on sexual unlawful workplace harassment shall, at the minimum, include:

- (1) publishing and disseminating a policy statement establishing that sexual unlawful workplace



harassment of employees and applicants is prohibited;

- (2) establishment of internal procedure to handle complaints of sexual unlawful workplace harassment. This procedure shall provide prompt investigation and resolution of complaints within the department or university and shall offer the employee recourse other than through the immediate supervisor;
- (3) utilization of training and other methods to prevent sexual unlawful workplace harassment;
- (4) stating that the department will, in allegations of sexual unlawful workplace harassment, review the entire record and the totality of the circumstances, to determine whether the alleged conduct constitutes sexual unlawful workplace harassment;
- (5) development of appropriate disciplinary actions for conduct determined to constitute sexual unlawful workplace harassment, to be implemented on a case by case basis on the facts of each complaint;
- (6) prohibition of internal interference, coercion, restraint or reprisal against any person complaining of alleged sexual unlawful workplace harassment;
- (7) notification to all employees that a complaint or allegation of sexual unlawful workplace harassment ~~may must~~ be filed within the department or agency or ~~may be filed with the State Personnel Commission, at the election of the employee, and that the agency or department has 60 days to take appropriate action, if any, in response to the complaint prior to the filing of a complaint of unlawful workplace harassment with the State Personnel Commission.~~

Authority G.S. 126-4; 126-16; 126-17; 126-36; 126-36.1.

## SUBCHAPTER 1J - EMPLOYEE RELATIONS

### SECTION .0500 - EMPLOYEE GRIEVANCES

#### .0506 DISCRIMINATION

(a) A state employee has the right of direct appeal to the Commission has the option of using the grievance procedure established within the employee's agency if the employee so desires. If an employee elects to utilize the agency grievance procedure, the employee must appeal an alleged act of discrimination within the time frames set by the agency grievance procedure. An employee who chooses to bypass the agency's internal grievance procedure and appeal directly to the Commission must do so within 30 calendar days of notice the alleged discriminatory action.

(b) An employee who alleges sexual unlawful workplace harassment and elects to utilize the agency grievance procedure, shall have the right to bypass any step in the agency grievance procedure or alternative dispute resolution procedure involving discussions with or review by the alleged harasser. An employee who has a unlawful workplace harassment complaint must submit an unlawful workplace harassment complaint in writing to the agency or department. The agency or department has 60 days to take appropriate action, if any, in response to the complaint. After the agency or department has had 60 days in

which to take appropriate action, if any, in response to the complaint of unlawful workplace harassment, the employee may file a complaint of unlawful workplace harassment with the State Personnel Commission within 30 days of the 60th day of the period of time which the agency or department is given to consider the unlawful workplace harassment complaint and take appropriate action, if any.

Authority G.S. 126-4(9); 126-4(17); 126-7.2; 126-16; 126-34.1; 126-34.2; 126-38.

### SECTION .0600 - DISCIPLINARY ACTION: SUSPENSION AND DISMISSAL

#### .0603 APPEALS

(a) A career employee who has been demoted, suspended or dismissed shall have 15 calendar days from the date of his receipt of written notice of such action to file an appeal with his department/university grievance procedure. Grievances which do not allege discrimination must follow the department or university grievance procedure. An appeal to the State Personnel Commission of a final departmental or university decision must be filed with the Office of Administrative Hearings in accordance with G.S. 150B-23 and within 30 calendar days of receipt of the final agency decision. Grievances which allege unlawful workplace harassment must be submitted in writing to the agency or department and the agency or department must be given 60 days in which to take appropriate remedial action, if any. An appeal to the State Personnel Commission of unlawful workplace harassment must be filed with the Office of Administrative Hearings in accordance with G.S. 150B-23 and within 30 calendar days of the 60th day of the period given to the agency to consider the unlawful workplace harassment complaint.

(b) Grievances which allege discrimination not including unlawful workplace harassment may, at the election of the employee, proceed through the department or university procedure or proceed directly to the State Personnel Commission (SPC) for a hearing by the Office of Administrative Hearings (OAH) and a decision by the SPC. A direct appeal to the SPC (such appeal involving a contested case hearing by the OAH and a recommended decision by that agency to the SPC) alleging discrimination not including unlawful workplace harassment must be filed in accordance with G.S. 150B-23 and must be filed within 30 calendar days of receipt of notice of the alleged discriminatory act.

(c) Grievances filed on an untimely basis (see G.S. 126-35, G.S. 126-36 and G.S. 126-38) must be dismissed. Allegations of discrimination raised more than 30 calendar days after receipt of notice of the occurrence of the alleged discriminatory act must be dismissed. Grievances alleging unlawful workplace harassment raised more than 30 calendar days after the 60th day of the 60 day time period given to the agency to consider an unlawful workplace harassment complaint.

Authority G.S. 126-1A; 126-35; 126-36; 126-38; 150B, Article 3; 150B-23.

*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

**TITLE 10 - DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

**SECTION .0800 - GENERAL RULES FOR INFANTS  
AND TODDLERS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Commission for Mental Health, Developmental Disabilities and Substance Abuse Service intends to amend the rules cited as 10 NCAC 14V .0802-.0805. Notice of Rule-making Proceedings was published in the Register on April 15, 1998.

**Rule-making Agency:** Commission for Mental Health, Developmental Disabilities and Substance Abuse Services

**Rule Citation:** 10 NCAC 14V .0802-.0805

**Proposed Effective Date:** August 1, 2000

**Findings Reviewed and Approved by:** Julian Mann

**Authority for the rule-making:** G.S. 122C-3; 122C-27; 143B-147; 20 U.S.C. Sections 1401 et. seq., 1471 et. seq.

**Instructions on How to Demand a Public Hearing:** A demand for public hearing must be requested in writing within 15 days of this notice and addressed to Charlotte F. Hall, Division of MH/DD/SAS, 325 N. Salisbury Street, Raleigh, NC 27603-5906.

**Reason for Proposed Action:** The Division of MH/DD/SAS is designated lead agency for Early Childhood Intervention Services, and as a condition for the receipt of federal funds, the agency shall meet all federal requirements including amendments to rules as necessary for clarification.

**Comment Procedures:** Comments should be submitted no later than June 14, 1999, to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury Street, Albemarle Building, Suite 517, Raleigh, NC 27603-5906.

**Fiscal Note:** These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**CHAPTER 14 - MENTAL HEALTH: GENERAL**

**SUBCHAPTER 14V - RULES FOR MENTAL HEALTH,  
DEVELOPMENTAL DISABILITIES, AND  
SUBSTANCE ABUSE FACILITIES AND SERVICES**

**.0802 DEFINITIONS**

In addition to the definitions contained in G.S. 122C-3 and Rule .0103 of this Subchapter, the following definitions shall also apply:

- (1) "Atypical development" means those from birth to 60 months of age who:
  - (a) have autism;
  - (b) are diagnosed hyperactive;
  - (c) have an attention deficit disorder, severe attachment disorder, or other behavioral disorders; or
  - (d) exhibit evidence of, or are at risk for, atypical patterns of behavior and social-emotional development in one or more of the following areas:
    - (i) delays or abnormalities in achieving emotional milestones;
    - (ii) difficulties with:
      - (A) attachment and interactions with parents, other adults, peers, materials and objects;
      - (B) ability to communicate emotional needs;
      - (C) motor or sensory development;
      - (D) ability to tolerate frustration and control behavior; or
      - (E) ability to inhibit aggression;
    - (iii) fearfulness, withdrawal, or other distress that does not respond to the comforting of caregivers;
    - (iv) indiscriminate sociability; for example, excessive familiarity with relative strangers;
    - (v) self-injurious or other aggressive behavior;
    - (vi) substantiated evidence that raises concern for the child's emotional well-being regarding:
      - (A) physical abuse;
      - (B) sexual abuse; or
      - (C) other environmental circumstances indicating an abused or neglected juvenile as defined in G.S. 7A-517(1) and (21).
- (2) "Developmentally delayed children" means those whose development is delayed in one or more of the following areas: cognitive development; physical development, including vision and hearing;



communication, social and emotional; and adaptive skills. The specific level of delay must be:

- (a) for children from birth to 36 months of age, documented by scores one and one-half standard deviations below the mean on standardized tests in at least one of the above areas of development. Or, it may be documented by a 20 percent delay on assessment instruments that yield scores in months; and
  - (b) for children from 36 to 60 months of age, documented by test performance two standard deviations below the mean on standardized tests in one area of development or by performance that is one standard deviation below the norm in two areas of development. Or, it may be documented by a 25 percent delay in two areas on assessment instruments that yield scores in months.
- (3) "Early Intervention Services" means those services provided for infants and toddlers specified in Section 303.12 of Subpart A of Part 303 of Title 34 of the Code of Federal Regulations, published January 1, 1992 and incorporated by reference.
- (a) For the purposes of these services, "transportation" means assistance in the travel to and from the multidisciplinary evaluation; specified early intervention services provided by certified developmental day centers or other center-based services designed specifically for children with or at risk for disabilities; and speech, physical or occupational therapy, or other early intervention services if provided in a specialized setting away from the child's residence.
  - (b) Transportation assistance may be provided by staff, existing public or private services, or by the family, who shall be reimbursed for their expenses, in accordance with applicable fee provisions.
  - (c) For the purposes of these services, "special instruction" means individually designed education and training in the strengths and needs of the child and family as identified in the multidisciplinary evaluation, in which the focus is on the major developmental areas and individual family needs. It occurs in two primary types of settings: home and mainstreamed center-based:
    - (i) The ~~mainstreamed~~ inclusive center-based settings may be those designed primarily for children with or at risk for disabilities, such as developmental day centers or therapeutic preschools, if they allow for planned and ongoing contact with children without disabilities.
    - (ii) ~~Mainstreamed~~ Inclusive center-based

settings also include those established primarily for children without disabilities, such as preschools, family day care homes, licensed child care centers:

- (A) when provided in these programs, special instruction also includes consultation and training for staff on curriculum design, teaching and behavior management strategies, and approaches to modification of the environment to promote learning; ~~and~~
  - (B) service coordination activities, including assistance to the family in identifying such programs must be provided with special instruction, if requested by the ~~family, family; and~~
  - (C) all types of early intervention services shall be provided in natural environments to the maximum extent possible. The provision of early intervention services in a setting other than a natural environment shall occur only when early intervention cannot be achieved satisfactorily in a natural environment.
- (4) "Health Services" means those services provided for infants and toddlers specified in Section 303.13 of Subpart A of Part 303 of Title 34 of the Code of Federal Regulations, published June 22, 1989 and incorporated by reference.
- (5) "High risk children" means those from birth to 36 months of age for whom there is clinical evidence of conditions which have a high probability of resulting in developmental delay or atypical development and for whom there is clinical evidence that developmental or therapeutic intervention may be necessary. There are two categories of high risk children. These are:
- (a) High Risk-Established: Diagnosed or documented physical or mental conditions which are known to result in developmental delay or atypical development as the child matures. Such conditions include, but need not be limited to the following:
    - (i) chromosomal anomaly or genetic disorders associated with developmental deficits;
    - (ii) metabolic disorders associated with developmental deficits;
    - (iii) infectious diseases associated with developmental deficits;
    - (iv) neurologic disorders;
    - (v) congenital malformations;

- (vi) sensory disorders; or
- (vii) toxic exposure.
- (b) High Risk-Potential: Documented presence of indicators which are associated with patterns of development and which have a high probability of meeting the criteria for developmental delay or atypical development as the child matures. There shall be documentation of at least three of the parental or family, neonatal, or postneonatal risk conditions. These conditions are as follows:
  - (i) maternal age less than 15 years;
  - (ii) maternal PKU;
  - (iii) mother HIV positive;
  - (iv) maternal use of anticonvulsant, antineoplastic or anticoagulant drugs;
  - (v) parental blindness;
  - (vi) parental substance abuse;
  - (vii) parental mental retardation;
  - (viii) parental mental illness;
  - (ix) difficulty in parent-infant bonding;
  - (x) difficulty in providing basic parenting;
  - (xi) lack of stable housing;
  - (xii) lack of familial and social support;
  - (xiii) family history of childhood deafness;
  - (xiv) maternal hepatitis B;
  - (xv) birth weight less than 1500 grams;
  - (xvi) gestational age less than 32 weeks;
  - (xvii) respiratory distress (mechanical ventilator greater than six hours);
  - (xviii) asphyxia;
  - (xix) hypoglycemia (less than 25 mg/dl);
  - (xx) hyperbilirubinemia (greater than 20 mg/dl);
  - (xxi) intracranial hemorrhage;
  - (xxii) neonatal seizures;
  - (xxiii) suspected visual impairment;
  - (xxiv) suspected hearing impairment;
  - (xxv) no well child care by age six months;
  - (xxvi) failure on standard developmental or sensory screening test;
  - (xxvii) significant parental concern;
  - (xxviii) chronic lung disease;
  - (xxix) parent history of suspected abuse or neglect; and
  - (xxx) mothers who are seen by a Maternal Outreach Worker from the local health department.

(6) "Natural environments" means settings that are natural or normal for the child's age peers who have no disabilities.

(7) Incorporation by reference in any of the rules in this Section of portions of the Code of Federal Regulations includes subsequent amendments and editions of the referenced material, which may be obtained at no cost from the Branch Head, Child and Adolescent Services, Developmental Disabilities Section, Division of MH/DD/SAS, 325 N. Salisbury

Street, Raleigh, NC 27603.

*History Note: Authority G.S. 122C-3; 122C-26; 143B-147; Eff. May 1, 1996;*

*Temporary Amendment Eff. May 21, 1999.*

#### **.0803 GENERAL REQUIREMENTS FOR INFANTS AND TODDLERS**

For all facilities serving infants and toddlers with or at risk for developmental disabilities, delays or atypical development, except for respite, there shall be:

- (1) an assessment which includes:
  - (a) physical (including vision and hearing), communication, cognitive, social and emotional and adaptive skills development, and the requirements set forth in 34 C.F.R. Part 303.344 (a)(2), incorporated by reference;
  - (b) a determination of the child's unique strengths and needs in terms of these areas of development and identification of services appropriate to meet those needs;
  - (c) if requested by the family, a determination of the resources, priorities and concerns of the family, and the supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant or toddler with or at risk for a disability. The family-focused and directed assessment shall be based on information provided through a personal interview and incorporate the family's description of these resources, priorities, and concerns in this area;
  - (d) procedures developed and implemented to ensure participation by the client's family or the legally responsible person;
  - (e) no single procedure used as the sole criterion for determining a child's eligibility;
  - (f) an integrated assessment process which involves at least two persons, each representing a different discipline or profession, with the specific number and types of disciplines based on the particular needs of the child. The assessment shall include current medical information provided by a physician, physician's assistant, nurse practitioner, or a registered nurse who has completed the "Child Health Training Program for Registered Nurses" taught under the Division of Maternal and Child Health Guidelines; however, a physician, physician's assistant, or nurse practitioner is not required as one of the disciplines involved in the assessment;

**Note:** Further information regarding the assessment may be found in the document "North Carolina Infant-Toddler Program Manual," available from the Developmental Disabilities Section of DMH/DD/SAS at no cost upon request.



- (g) an evaluation process based on informed clinical opinion;
  - (h) an assessment process completed within 45 calendar days from the date of referral. The referral shall be initiated by a request for these services made to any one of the public agencies participating in the Part H of the Individuals with Disabilities Education Act Interagency Agreement. The request shall become a referral when the area program determines that all of the following is available:
    - (i) sufficient background information to enable the agency receiving the referral to establish communication through a telephone call or home visit;
    - (ii) reason for referral, date of referral and agency or individual making referral;
    - (iii) child and family identifying information such as names, child's birthdate and primary physician; and
    - (iv) summary of any pre-existing child and family screening or assessment information;
  - (i) a 45 calendar day completion requirement which may be extended in exceptional circumstances, such as, the child's health assessment is being completed out-of-state, or family desires make it impossible to complete the assessment within the time period. The specific nature and duration of these circumstances which prevent completion within 45 days and the attempts made by the provider to complete the assessment shall be documented and an interim Individualized Family Service Plan (IFSP) shall be developed and implemented; and
  - (j) the child's family or legally responsible person shall be fully informed of the results of the assessment process.
- (2) There shall be a habilitation plan which is referred to as the Individualized Family Service Plan (IFSP) which shall include:
- (a) a description of the child's present health status and levels of physical (including vision and hearing), communication, cognitive, social and emotional, and adaptive development;
  - (b) with the concurrence of the family, a description of the resources, priorities and concerns of the family and the supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant and toddler with or at risk for a disability;
  - (c) outcomes for the child, and, if requested, outcomes for the child's family;
  - (d) criteria and time frames to be used to determine progress towards outcomes;
  - (e) planned habilitation procedures related to the outcomes;
  - (f) a statement of the specific early intervention services to be provided to meet the identified child and family needs, the initiation dates, frequency and method, duration, intensity and location (including the most natural environment and a justification of the extent, if any, to which the services are not provided in a natural environment) of service delivery, and the persons or agencies responsible;
  - (g) the name of the service coordinator from the profession most immediately relevant to the needs of the child or family; and who is otherwise qualified to carry out all applicable responsibilities for coordinating with other agencies and individuals the implementation of the IFSP;
  - (h) the plans for transition into services which are the responsibility of the NC Department of Public Instruction, or other available services, when applicable;
  - (i) the payment arrangements for the specific services delineated in Sub-Item (2)(f) of this Rule;
  - (j) a description of medical and other services needed by the child, but which are not required under Part H of the Individuals with Disabilities Education Act, and the strategies to be pursued to secure those services through public or private resources. The requirement regarding medical services does not apply to routine medical services, such as immunization and well-baby care, unless the child needs these services and they are not otherwise available.
- (3) The following requirements apply to the IFSP:
- (a) it shall be reviewed on at least a semi-annual basis or more frequently upon the family's request;
  - (b) it shall be revised as appropriate, but at least annually; and
  - (c) the initial development and annual revision process for the IFSP for infants and toddlers, shall include participation by:
    - (i) the parent or parents of the child;
    - (ii) other family members, as requested by the parent;
    - (iii) an advocate or person outside of the family if the parent requests participation;
    - (iv) the provider of the early intervention services;
    - (v) the service coordinator designated for the family, if different from the provider of the early intervention services; and
    - (vi) the provider of the assessment service, if different from the provider of the early intervention services.

- (d) The initial IFSP meeting and annual reviews shall be arranged and written notice provided to families early enough to promote maximum opportunities for attendance. The semi-annual review process shall include participation by persons identified in Sub-items (3)(c)(i) through (v) of this Rule. If any of these assessment and intervention providers are unable to attend one of the development or review meetings, arrangements may be made for the person's involvement through other means such as participation in a telephone conference call, having a knowledgeable authorized representative attend the meeting or making pertinent records available at the meeting. The facility shall attempt to obtain approval for such arrangements from all participants, however, it may proceed without such approval if necessary to complete the IFSP.
- (e) The IFSP for infants and toddlers shall be based upon the results of the assessment referenced in Item (1) of this Rule and upon information from any ongoing assessment of the child and family. However, early intervention services may commence before completion of this assessment if:
  - (i) parental consent is obtained; and
  - (ii) the assessment is completed within the 45-day time period referenced in Paragraph (a) of this Rule.
- (f) In the event that exceptional circumstances, such as child illness, residence change of family, or any other similar emergency, make it impossible to complete the assessment within the 45-day time period referenced in Item (1) of this Rule, the circumstances shall be documented and an interim IFSP developed with parent permission. The interim IFSP shall include:
  - (i) the name of the service coordinator who will be responsible for the implementation of the IFSP and coordination with other agencies and individuals;
  - (ii) outcomes for the child and family when recommended;
  - (iii) those early intervention services that are needed immediately; and
  - (iv) suggested activities that may be carried out by the family members.
- (g) Each facility or individual who has a direct role in the provision of early intervention services specified in the IFSP is responsible for making a good faith effort to assist each eligible child in achieving the outcomes set forth in the IFSP.
- (h) The IFSP shall be developed within 45 days of referral for those children determined to be eligible. The referral shall be as defined in Sub-item (1)(h) of this Rule.
- (i) The contents of the IFSP shall be fully explained to the parents, and informed written consent from the parents shall be obtained prior to the provision of early intervention services described in the plan. If the parents do not provide consent with respect to a particular early intervention service, or withdraw consent after first providing it, that service shall not be provided. The early intervention services for which parental consent is obtained must be provided.
- (j) IFSP meetings shall be conducted in settings convenient to and in the natural language of the family.

*History Note: Authority G.S. 122C-26; 143B-147;  
Eff. May 1, 1996;  
Temporary Amendment Eff. March 1, 1999.*

#### **.0804 SURROGATE PARENTS**

(a) Circumstances Requiring Surrogate Parents. The area program shall assure the availability of a surrogate parent for infants and toddlers eligible for early intervention services when:

- (1) a biological parent or guardian cannot be identified;
- (2) efforts to locate the parent are unsuccessful; or
- (3) the child is involved in a voluntary placement agreement or is placed in protective custody through the local Department of Social Services.

(b) Identifying Need For And Selection Of A Surrogate Parent:

- (1) The child service coordinator shall be responsible for identifying the need for a surrogate parent.
- (2) Identification shall be based on any pertinent information and input from:
  - (A) the local Department of Social Services; and
  - (B) anyone serving on the Infant-Toddler Consortium.
- (3) The area program Director, or a designee, serving the county of the child's legal residence shall select the surrogate parent.

(c) Responsibilities Of A Surrogate Parent. A surrogate parent shall have the responsibility of being an active spokesperson for a child in matters related to the:

- (1) evaluation and assessment of the child;
- (2) development, signing, and implementation of the child's IFSP, including annual evaluations and periodic reviews; and
- (3) ongoing provision of early intervention services to the child.

(d) Priorities For Selection Of A Surrogate Parent:

- (1) The area program shall make every effort to select a surrogate parent who has close ties to the child.
- (2) In instances when children are placed in foster care or in the care of another individual, the biological parents or guardian shall be given first consideration to act as the surrogate parent.



- (3) The following order of priority shall then be considered when selecting the surrogate parent:
  - (A) person "acting as a parent" - a grandparent, governess, neighbor, friend, or private individual who is caring for the child;
  - (B) interested relative;
  - (C) foster parent;
  - (D) friend of the child's family; or
  - (E) other individuals.
- (4) The biological parent or guardian, if known, shall be informed regarding the selection of the surrogate parent.
- (e) Criteria For Selection Process. Anyone who serves as a surrogate parent shall:
  - (1) not have conflicting interests with those of the child who is represented;
  - (2) have knowledge and skills that ensure the best possible representation of the child;
  - (3) not have any prior history of committing abuse or neglect; ~~or~~
  - (4) not be an employee of the agency involved in the provision of early intervention or other services for the ~~child~~ child or be a provider of early intervention services to the child or the child's family. However, a person who otherwise qualifies to be a surrogate parent is not considered an employee based on being paid by a public agency to serve as a surrogate or foster ~~parent; parent; or~~
  - (5) not be an employee of the state.
- (f) Training Requirements For A Surrogate Parent:
  - (1) Anyone who serves as a surrogate parent, and is not related to the child, shall have participated in training provided by or approved by the area mental health, developmental disabilities and substance abuse program.
  - (2) Training shall include, but not be limited to, the following topics:
    - (A) Part H of the Individuals with Disabilities Education Act, regarding parents' rights, entitlements for children, and services offered;
    - (B) developmental and emotional needs of eligible infants and toddlers;
    - (C) available advocacy services; and
    - (D) relevant cultural issues if the child's culture is different from that of the surrogate parent.
  - (3) The level of training approach shall be based on needs of the surrogate parent, as determined by the surrogate parent in conjunction with the area program.

*History Note: Authority G.S. 143B-147; 20 U.S.C. Sections 1401 et. seq., 1471 et. seq;  
 Eff. May 1, 1996;  
 Temporary Amendment Eff. May 21, 1999.*

#### **.0805 PROCEDURAL REQUIREMENTS**

(a) General Area Program Requirements. Area programs and contract agencies shall comply with Section 303.402 of Subpart E of Part 303 of Title 34 of the Code of Federal Regulations,

incorporated by reference, relating to:

- (1) the right of the parents of an eligible child to examine records;
- (2) the requirement of prior notice to parents of an eligible child in the parents' native language;
- (3) the requirement of parental consent [The period of reasonable time referenced in 303.403(a) shall be construed to be no less than two weeks.];
- (4) early intervention services [infants and toddlers referred for services shall be assessed in accordance with the provisions of Rule .0803 of this Section, admitted in accordance with the provisions of Subparagraphs (a)(3) and (4) of Rule .0201 of this Subchapter, and receive services in accordance with the provisions of Rule .0803 of this Section]; and
- (5) surrogate parents.

As used in this Section, the following terms shall have the meanings specified in Section 303.401 of Subpart E of Part 303 of Title 34 of the Code of Federal Regulations: "Consent", "Native Language", "Personally identifiable".

#### **(b) Complaint Resolution/Mediation:**

- (1) Parents of an eligible child shall have the right to a timely administrative resolution of any complaints concerning an area program's or contract agency's proposal or refusal to initiate or change the identification, evaluation or placement of the child, or concerning the provision of appropriate early intervention services to the child and the child's family. The parents of an eligible child shall also have the right to mediation of such complaints.
- (2) Whenever an area program or contract agency becomes aware that the parents of an eligible child disagree with any decision regarding early intervention services for their child, the area program or contract agency, whichever is appropriate, shall immediately advise the parents regarding the availability of, and procedure for, requesting complaint resolution under this Section.
- (3) A request by parents of an eligible child for administrative resolution or mediation of a complaint shall be in writing and sent to the Director of the area program in which the eligible child is receiving services.
- (4) A request by parents of an eligible child for administrative resolution or mediation of a complaint shall contain the following:
  - (A) name and address of the child;
  - (B) name and address of the parent;
  - (C) name and address of the area program or contract agency against whom the complaint is made;
  - (D) a statement of facts describing in sufficient detail the nature of the complaint;
  - (E) the signature of the complaining parent and the date of signing; and
  - (F) whether the parent desires mediation prior to the administrative resolution of his complaint.
- (5) Parents of an eligible child may request mediation to

resolve a complaint as an intervening step prior to the administrative proceeding. If mediation is requested, the mediation shall take place prior to the administrative proceeding.

(6) If mediation or administrative proceeding is requested, an impartial person shall be:

- (A) subject to qualifications of an impartial person as specified in Section 303.421 of Subpart E of Part 303 of Title 34 of the Code of Federal Regulations and incorporated by reference.
- (B) selected from a list of mediators and administrative hearing officers approved by the Chief of the Developmental Disabilities Section of DMH/DD/SAS; and
- (C) appointed by the area director to serve as a mediator.

(7) DMH/DD/SAS shall provide a training program for the mediators and the administrative hearing officers.

(8) Mediation may not be used to deny or delay a parent's right to speedy complaint resolution. The mediation, administrative proceeding and written decision must be completed within the 30-day timeline set forth in Paragraph (f) of this Rule.

(9) Parents may not be assessed fees for the mediation or any other costs related to the mediation services.

(10) Each mediation session shall be scheduled in a timely manner and held in a location that is convenient to the parties involved.

(11) Agreements reached by the parties involved in the mediation process shall be set forth in a mediation agreement.

(12) Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process or civil hearings and the parties involved may be required to sign a confidentiality pledge prior to the commencement of the process.

(c) **Scheduling Administrative Proceedings.** Upon receipt of written request for administrative complaint resolution, the Director of the area program in which the eligible child is receiving services shall schedule an administrative proceeding in accordance with the requirements of this Section. The parents shall be notified in writing of the date, time and location of the proceeding no later than seven calendar days prior to the hearing by the area director. The hearings must be scheduled at a time and place that is reasonably convenient to the parents. "Reasonably convenient" means the same as in Section 303.423 of Subpart E of Part 303 of the Code of Federal Regulations and is incorporated by reference.

(d) **Authority And Responsibilities Of Impartial Person:**

(1) The hearing officer shall have the powers listed in G.S. 150B-33, and in addition shall have the following authority:

- (A) to establish reasonable time limitations on the parties' presentations;
- (B) to disallow irrelevant, immaterial or repetitive evidence;
- (C) to direct that additional evaluations of the child

be performed;

- (D) to make findings of fact and conclusions of law relevant to the issues involved in the hearing;
- (E) to issue subpoenas for the attendance of witnesses or the production of documents; and
- (F) to specify the type and scope of the early intervention services to be offered the child, where the proposed services are found to be inappropriate.

(2) The hearing officer does not have the authority to:

- (A) determine that only a specific program, specific early intervention staff person or specific service provider is appropriate for the pupil; or
- (B) determine noncompliance with state law and regulations.

(3) The decision of the hearing officer shall be in writing and shall contain findings of fact, conclusions of law and the reasons for the decision. The hearing officer shall mail a copy of the decision to each party by certified mail, return receipt requested.

(4) The hearing officer shall inform the parent that the parent may obtain a transcript of the hearing at no cost.

(e) **Parent Rights In Administrative Proceedings.** Parents of an eligible child shall have the rights set forth in Section 303.422 of Subpart E of Part 303 of Title 34 of the Code of Federal Regulations, incorporated by reference.

(f) **Timelines.** The administrative proceeding shall be completed, and a written decision mailed to each of the parties within 30 days after the receipt of a parent's complaint as described in Paragraph (b) of this Rule.

(g) **Civil Action.** Section 303.424 of Subpart E of Part 303 of Title 34 of the Code of Federal Regulations relating to the availability of a civil action for any party aggrieved by the findings and decision in an administrative proceeding is incorporated by reference.

(h) **Status Of Child During Proceedings.** Section 303.425 of Subpart E of Part 303 of Title 34 of the Code of Federal Regulations relating to the status of a child during an administrative proceeding is incorporated by reference.

(i) **Confidentiality.** Personally identifiable information concerning an eligible child or family member of an eligible child is confidential and may not be disclosed or acquired except as provided by in Paragraphs (j) and (k) of this Rule.

(j) **Disclosure Of Confidential Information To Employees.** An area program or contract agency may disclose confidential information to its employees who have a legitimate need for access to the information.

(k) **Written Consent Required.** Except as provided in Paragraph (b) of this Rule, all disclosures of confidential information, including disclosures between an area program and contract agency, may be made only with the written consent of the parents. Client information may be disclosed between agencies participating in the provision of early intervention services in accordance with G.S. 122C-53(a), 122C-55(c), 122C-55(f), or 122C-55(h), as appropriate. However, the extent of information disclosed shall be limited to that information which is necessary to carry out the purpose of the disclosure.



Parents shall be informed of their right to refuse to consent to the release of confidential information. The content of written consent forms shall comply with the Confidentiality Rules, 10 NCAC 18D.

(l) **Consent To Receive Services.** The parents of a child, eligible to receive early intervention services, may determine whether they, their child, or other family members will accept or decline any type of early intervention service without jeopardizing the right to receive other early intervention services.

*History Note: Authority G.S. 143B-147; 150B-1(d); 20 U.S.C. Sections 1401 et. seq., 1471 et. seq.; Eff. May 1, 1996; Temporary Amendment Eff. May 21, 1999.*

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**Rule-making Agency:** DENR - Environmental Management Commission

**Rule Citation:** 15A NCAC 2D .1801 - .1803

**Effective Date:** April 27, 1999

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 143-215.3(a)(1); 143-215.107(a)(11); 143-213; 143-215.65; 143-215.66; 43-215.107(a)(1); 143-215.108

**Reason for Proposed Action:** To adopt temporary rules to control odorous emissions from animal operations. House Bill 515 requires the Environmental Management Commission to adopt temporary rules by March 1, 1999 to regulate the emission of odors from animal operations. The temporary rules and permanent rules may be the same or they may differ.

**Comment Procedures:** Comments and other information may be submitted in writing and sent to: Mr. Thomas Allen, Division of Air Quality, PO Box 29580, Raleigh, NC 27604-0580; (919) 733-1489 Phone; (919) 715-7476 Fax; thom\_allen@ncair.net(email).

## CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

### SUBCHAPTER 2D - AIR POLLUTION CONTROL REQUIREMENTS

#### SECTION .1800 - CONTROL OF ODORS

##### .1801 DEFINITIONS

For the purpose of this Section, the following definitions apply:

- (1) "Control technology" means economically feasible control devices installed to effectively reduce

objectionable odors from animal operations.

- (2) "Animal operation" means animal operation as defined at G.S. 143-215.10B.
- (3) "Construction" means any physical change (including fabrication, erection, installation, replacement, demolition, excavation, or other modification) at any contiguous area under common control.
- (4) "Existing animal operation" means an animal operation that is in operation or commences construction on or before February 28, 1999.
- (5) "Modified animal operation" means an animal operation that commences construction after February 28, 1999, to increase the number of animals that can be housed at that animal operation. Activities exempted from the moratorium on construction or expansion of swine farms in S.L. 1997, c. 458, s. 1.1, do not constitute a modified animal operation provided that the owner or operator demonstrates to the Director that the activity will not result in an objectionable odor.
- ~~(5) "Modified animal operation" means an animal operation that commences construction after February 28, 1999, to increase the number of animals that can be housed at that animal operation, to relocate barns used to house animals, to add a new lagoon, or to replace an existing lagoon.~~
- (6) "New animal operation" means an animal operation that commences construction after February 28, 1999.
- (7) "Objectionable odor" means any odor present in the ambient air that by itself, or in combination with other odors, is or may be harmful or injurious to human health or welfare, or may unreasonably interfere with the comfortable use and enjoyment of life or property. Odors are harmful or injurious to human health if they tend to lessen human food and water intake, interfere with sleep, upset appetite, produce irritation of the upper respiratory tract, or cause symptoms of nausea, or if their chemical or physical nature is, or may be, detrimental or dangerous to human health.
- (8) "Technologically feasible" means that an odor control device or a proposed solution to an odor problem has previously been demonstrated to accomplish its intended objective, and is generally accepted within the technical community. It is possible for technologically feasible solutions to have demonstrated their suitability on similar, but not identical, sources for which they are proposed to control.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(11); 143-213; Temporary Adoption Eff. April 27, 1999; March 1, 1999.*

##### .1802 CONTROL OF ODORS FROM ANIMAL OPERATIONS

(a) Purpose. The purpose of this Rule is to control objectionable odors from animal operations beyond the boundaries of animal operations.

(b) Applicability. This Rule shall apply to all animal operations.

(c) Required management practices. All animal operations shall be required to implement applicable management practices for the control of odors as follows:

- (1) The discharge point of the flush water discharge pipe shall extend to a point below the surface of the animal wastewater lagoon;
- (2) The carcasses of dead animals shall be properly stored at all times and disposed of within 48 hours;
- (3) Waste from animal wastewater application spray systems shall not be applied when there is danger of drift from the irrigation field beyond the boundary of the animal operation, except waste from application spray systems may be applied in an emergency to maintain safe lagoon freeboard if the owner or operator notifies the Department and resolves the emergency with the Department as written in Section III.6 of the Swine Waste Operation General Permit;
- (4) Animal wastewater application spray system intakes shall be located near the liquid surface of the animal wastewater lagoon;
- (5) Ventilation fans shall be maintained according to the manufacturer's specifications;
- (6) Animal feed storage containers located outside of animal containment buildings shall be covered except when necessary to remove feed; and
- (7) Animal wastewater flush tanks shall be covered with a device that is designed for ready access to prevent overflow or shall have installed a fill pipe that extends below the surface of the tank's wastewater.

All animal operations shall be in compliance with this Paragraph by June 1, 1999.

(d) Location of objectionable odor determinations.

- (1) For an existing animal operation that does not meet the siting requirements in Subparagraph (k)(1) of this Rule, objectionable odors shall be determined at neighboring occupied property that is affected and not owned by the owner of the animal operation, businesses, schools, hospitals, churches, outdoor recreation facilities, national parks, State Parks as defined in G.S. 113-44.9, historic properties acquired by the State pursuant to G.S. 121-9 or listed in the North Carolina Register of Historic Places pursuant to G.S. 121-4.1, or child care centers as defined in G.S. 110-86 that are licensed under Article 7 of Chapter 110 of the General Statutes.
- (2) For a new animal operation or existing animal operation that meets the siting requirements in Subparagraph (k)(1) of this Rule, objectionable odors shall be determined beyond the boundary of the animal operation.

(e) Complaints. The Director shall respond to complaints about objectionable odors from animal operations as follows:

- (1) Complaints shall be investigated to the extent practicable.
- (2) Complaints may be used to assist in determination of a best management plan failure or a control

technology failure.

(3) The Director shall respond to complaints within 60 days.

(4) Complaint response shall at least include a written response of the Director's evaluation of the complaint.

(f) Determination of the existence of an objectionable odor. In deciding if an animal operation is causing or contributing to an objectionable odor, the Director may consider one or more of the following:

- (1) the nature, intensity, frequency, pervasiveness, and duration of the odors from the animal operation;
- (2) the potential of the animal operation to emit known odor causing compounds, such as ammonia, total volatile organics, or hydrogen sulfide, at levels that could cause or contribute to an objectionable odor;
- (3) any epidemiological studies associating health problems with odors from the animal operation or documented health problems associated with odors from the animal operation provided by the State Health Director; or
- (4) any other evidence, including complaints, that shows that the animal operation is causing or contributing to an objectionable odor.

(g) Requirement for a best management plan for controlling odors from existing animal operations. If the Director finds that an existing animal operation is causing or contributing to an objectionable odor, the owner or operator of the animal operation shall:

- (1) submit to the Director as soon as practical, but not to exceed 90 days after receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor, a best management plan for odor control as described in Rule .1803 of this Section; and
- (2) be in compliance with the terms of the plan within 30 days after the Director approves the best management plan (compliance with an approved compliance schedule in the best management plan is deemed to be in compliance with the plan).

(h) Requirement for amendment to best management plan. No later than 60 days from completion of a compliance schedule in an approved best management plan, the Director shall determine whether the plan adequately controls objectionable odors from the animal operation. If the Director determines that a plan does not control objectionable odors from the animal operation, the Director shall require the owner or operator of the animal operation to amend the plan to incorporate additional or alternative measures to control objectionable odors from the animal operation. The owner or operator shall:

- (1) submit a revised best management plan to the Director as soon as practical but not later than 60 days of receipt of written notification from the Director that the plan is inadequate; and
- (2) be in compliance with the revised plan within 30 days after the Director approves the revisions to the best management plan (compliance with an approved compliance schedule in the best management plan is



deemed to be in compliance with the plan).

(i) Plan failure. Any of the following conditions shall constitute failure of a best management plan:

- (1) failing to submit the initial best management plan required under Paragraph (g) of this Rule within 90 days of receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor;
- (2) failing to submit a revised best management plan required under Paragraph (h) of this Rule within 60 days of receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor;
- (3) failing to correct all deficiencies in a submitted best management plan under Rule .1803(b) of this Section within 30 days of receipt of written notification from the Director to correct these deficiencies;
- (4) failing to implement the best management plan after it has been approved; or
- (5) finding by the Director, using the criteria under Paragraph (f) of this Rule, that, after the best management plan has been implemented and revised no more than two times, the best management plan does not adequately control objectionable odors from the animal operation and will not adequately control objectionable odors even with further amendments.

(j) Requirements for control technology. If a plan failure occurs, the Director shall require the owner or operator of the animal operation to install control technology to control odor from the animal operation. The owner or operator shall submit within 90 days from receipt of written notification from the Director of a plan failure, a permit application for control technology and an installation schedule. If the owner or operator demonstrates to the Director that a permit application cannot be submitted within 90 days, the Director may extend the time for submittal up to an additional 90 days. Control technology shall be determined according to Subparagraph (1) of this Paragraph. The installation schedule shall contain the increments of progress described in Subparagraph (2) of this Paragraph. The owner or operator may at any time request adjustments in the installation schedule and shall in his request explain why the schedule cannot be met. If the Director finds that the reason for not meeting the schedule is valid, the Director shall revise the installation schedule as requested; however, the Director shall not extend the final compliance date beyond 24 months from the date that the permit was first issued for the control technology. The owner or operator shall certify to the Director within five days after the deadline for each increment of progress described in Subparagraph (2) of this Paragraph whether the required increment of progress has been met.

- (1) Control technology. The owner or operator of an animal operation shall identify control technologies that are technologically feasible for his animal operation and shall select the control technology or control technologies that the owner or operator identifies as most effective for his operation considering human health, energy, environmental, and economic impacts and other costs. The owner or

operator shall explain the reasons for selecting the control technology or control technologies. If the Director finds that the selected control technology or control technologies will effectively control odors following the procedures in 15A NCAC 2Q .0300 or .0500, he shall approve the installation of the control technology or control technologies for this animal operation. The owner or operator of the animal operation shall comply with all terms and conditions in the permit.

- (2) Installation schedule. The installation schedule for control technology shall contain the following increments of progress:

- (A) a date by which contracts for odor control systems and equipment shall be awarded or orders shall be issued for purchase of component parts;
- (B) a date by which on-site construction or installation of the odor control systems and equipment shall begin;
- (C) a date by which on-site construction or installation of the odor control systems and equipment shall be completed; and
- (D) a date by which final compliance shall be achieved.

Control technology shall be in place and operating as soon as practical but not to exceed 12 months from the date that the permit is issued for control technology.

- (k) New or modified animal operations.

- (1) Before beginning construction, the owner or operator of a new or modified animal operation raising or producing swine shall submit and have an approved best management plan and shall meet of the following: A house or lagoon that is a component of an animal operation shall be constructed:

- (A) at least 1500 feet from any occupied residence not owned by the owner of the animal operation;
- (B) at least 2500 feet from any school, hospital, church, outdoor recreation facility; national park; State Park, as defined in G.S. 113-44.9, historic property acquired by the State pursuant to G.S. 121-9 or listed in the North Carolina Register of Historic Places pursuant to G.S. 121-4.1, or child care center, as defined in G.S. 110-86, that is licensed under Article 7 of Chapter 110 of the General Statutes; and
- (C) at least 500 feet from any property boundary;

- (2) Before beginning construction, the owner or operator of a new or modified animal operation other than swine shall submit and have an approved best management plan.

- (3) For a new or modified animal operation, the outer perimeter of the land area onto which waste is applied from a lagoon that is a component of an animal operation shall be:

- (A) at least 75 feet from any boundary of property

on which an occupied residence not owned by the owner of the animal operation is located, and

(B) at least 200 feet from any occupied residence not owned by the owner of the animal operation.

(4) The Director shall either approve or disapprove the best management plan submitted under this Paragraph within 90 days after receipt of the plan. If the Director disapproves the plan, he shall identify the plan's deficiency.

(a) Purpose.—The purpose of this Rule is to address objectionable odors from animal operations beyond the boundaries of animal operations. It is not to eliminate all odors from animal operations beyond the boundaries of the animal operations.

(b) Applicability.—This Rule shall apply to all animal operations.

(c) Required management practices.—All animal operations shall be required to implement management practices for the control of odors as follows:

(1) The discharge point of the flush water discharge pipe shall extend to a point below the surface of the animal wastewater lagoon;

(2) The carcasses of dead animals shall be properly stored at all times and disposed of within 48 hours;

(3) Waste from animal wastewater application spray systems shall not be applied when there is danger of drift from the irrigation field beyond the boundary of the animal operation, except waste from application spray systems may be applied in an emergency to maintain safe lagoon freeboard if the owner or operator notifies the Department and resolves the emergency with the Department as written in Section III.6 of the Swine Waste Operation General Permit;

(4) Animal wastewater application spray system intakes shall be located near the liquid surface of the animal wastewater lagoon;

(5) Ventilation fans shall be maintained according to the manufacturer's specifications;

(6) Animal feed storage containers located outside of animal containment buildings shall be covered; and

(7) Animal wastewater flush tanks shall be covered with a device that is designed for ready access to prevent overflow.

(d) Location of objectionable odor determinations.—

(1) For an existing animal operation that does not meet the siting requirements in Subparagraph (j)(1) of this Rule, objectionable odors shall be determined at adjacent occupied residences as defined in G.S. 106-802 not owned by the owner of the animal operation, businesses, schools, hospitals, churches, outdoor recreation facilities, national parks, State Parks as in G.S. 113-44.9, historic properties acquired by the State pursuant to G.S. 121-9 or listed in the North Carolina Register of Historic Places pursuant to G.S. 121-4.1, or child care centers as defined in G.S. 110-86 that are licensed under Article 7 of Chapter 110 of

the General Statutes.—For occupied residences, businesses, schools, hospitals, churches, or child care centers, the determination shall be made at the principal structure.

(2) For a new animal operation or existing animal operation that meets the siting requirements in Subparagraph (j)(1) of this Rule, objectionable odors shall be determined beyond the boundary of the animal operation.

(e) Determination of the existence of an objectionable odor. In deciding if an animal operation is causing or contributing to an objectionable odor, the Director may consider one or more of the following:

(1) the nature, intensity, frequency, pervasiveness, and duration of the odors from the animal operation;

(2) the potential of the animal operation to emit known odor causing compounds, such as ammonia, total volatile organics, or hydrogen sulfide, at levels that could cause or contribute to an objectionable odor;

(3) any epidemiological studies associating health problems with odors from the animal operation or documented health problems associated with odors from the animal operation provided by the State Health Director; or

(4) any other evidence, including complaints, that shows that the animal operation is causing or contributing to an objectionable odor.

(f) Requirement for a best management plan for controlling odors from existing animal operations. If the Director finds that an existing animal operation is causing or contributing to an objectionable odor, the owner or operator of the animal operation shall:

(1) submit to the Director as soon as practical, but not to exceed 90 days after receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor, a best management plan for odor control as described in Rule 1803 of this Section; and

(2) be in compliance with the terms of the plan within 30 days after the Director approves the best management plan (compliance with an approved compliance schedule in the best management plan is deemed to be in compliance with the plan).

(g) Requirement for amendment to best management plan. If the Director determines that a plan does not control objectionable odors from the animal operation, the Director shall require the owner or operator of the animal operation to amend the plan to incorporate additional or alternative measures to control objectionable odors from the animal operation. The owner or operator shall:

(1) submit a revised best management plan to the Director as soon as practical but not later than 60 days of receipt of written notification from the Director that the plan is inadequate; and

(2) be in compliance with the revised plan within 30 days after the Director approves the revisions to the best management plan (compliance with an approved compliance schedule in the best management plan is



deemed to be in compliance with the plan).

(h) ~~Plan failure. Any of the following conditions shall constitute failure of a best management plan:~~

- ~~(1) failing to submit the initial best management plan required under Paragraph (f) of this Rule within 90 days of receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor;~~
- ~~(2) failing to submit a revised best management plan required under Paragraph (g) of this Rule within 60 days of receipt of written notification from the Director that the animal operation is causing or contributing to an objectionable odor;~~
- ~~(3) failing to correct all deficiencies in a submitted best management plan under Rule .1803(b) of this Section within 30 days of receipt of written notification from the Director to correct these deficiencies;~~
- ~~(4) failing to implement the best management plan after it has been approved; or~~
- ~~(5) finding by the Director, using the criteria under Paragraph (e) of this Rule, that, after the best management plan has been implemented and revised up to three times, it does not adequately control objectionable odors from the animal operation and will not adequately control objectionable odors even with further amendments.~~

(i) ~~Requirements for control technology. If a plan failure occurs, the Director shall require the owner or operator of the animal operation to install control technology to control odor from the animal operation. The owner or operator shall submit within 90 days from receipt of written notification from the Director of a plan failure, a permit application for control technology and an installation schedule. If the owner or operator demonstrates to the Director that a permit application cannot be submitted within 90 days, the Director may extend the time for submittal up to an additional 90 days. Control technology shall be determined according to Subparagraph (1) of this Paragraph. The installation schedule shall contain the increments of progress described in Subparagraph (2) of this Paragraph. The owner or operator may at any time request adjustments in the installation schedule and shall in his request explain why the schedule cannot be met. If the Director finds that the reason for not meeting the schedule is valid, the Director shall revise the installation schedule as requested; however, the Director shall not extend the final compliance date beyond 24 months from the date that the permit was first issued for the control technology. The owner or operator shall certify to the Director within five days after the deadline for each increment of progress described in Subparagraph (2) of this Paragraph whether the required increment of progress has been met.~~

- ~~(1) Control technology. The owner or operator of an animal operation shall identify control technologies that are technologically feasible for his animal operation and shall select the control technology or control technologies that the owner or operator identifies as most effective for his operation considering human health, energy, environmental, and economic impacts and other costs. The owner or~~

~~operator shall explain the reasons for selecting the control technology or control technologies. If the Director finds that the selected control technology or control technologies will effectively control odors following the procedures in 15A NCAC 2Q .0300 or .0500, he shall approve the installation of the control technology or control technologies for this animal operation. The owner or operator of the animal operation shall comply with all terms and conditions in the permit.~~

- ~~(2) Installation schedule. The installation schedule for control technology shall contain the following increments of progress:~~

- ~~(A) a date by which contracts for odor control systems and equipment shall be awarded or orders shall be issued for purchase of component parts;~~
- ~~(B) a date by which on-site construction or installation of the odor control systems and equipment shall begin;~~
- ~~(C) a date by which on-site construction or installation of the odor control systems and equipment shall be completed; and~~
- ~~(D) a date by which final compliance shall be achieved.~~

~~Control technology shall be in place and operating as soon as practical but not to exceed 12 months from the date that the permit is issued for control technology.~~

(j) ~~New or modified animal operations.~~

- ~~(1) The owner or operator of a new or modified animal operation that meets the following siting requirements shall submit and have an approved best management plan before beginning construction.~~

- ~~(A) A house or lagoon that is a component of an animal operation shall be located:~~

- ~~(i) at least 1500 feet from any occupied residence not owned by the owner of the animal operation;~~
- ~~(ii) at least 2500 feet from any school, hospital, church, outdoor recreation facility, national park, State Park, as defined in G.S. 113-41.9, historic property acquired by the State pursuant to G.S. 121-9 or listed in the North Carolina Register of Historic Places pursuant to G.S. 121-4.1, or child care center, as defined in G.S. 110-86, that is licensed under Article 7 of Chapter 110 of the General Statutes; and~~
- ~~(iii) at least 500 feet from any property boundary.~~

- ~~(B) The outer perimeter of the land area onto which waste is applied from a lagoon that is a component of an animal operation shall be:~~

- ~~(i) at least 75 feet from any boundary of property on which an occupied residence not owned by the owner of the~~

- (ii) animal operation is located, and at least 200 feet from any occupied residence not owned by the owner of the animal operation.
- (2) The owner or operator of a new or modified animal operation that does not meet the siting requirements of Subparagraph (1) of this Paragraph shall:
  - (A) submit and have an approved best management plan before beginning construction, and
  - (B) install control technology as described in Subparagraph (i)(1) of this Rule. The owner or operator of the building shall submit and have an approved air permit before commencing construction of the animal operation.
- (3) The Director shall either approve or disapprove the best management plan submitted under this Paragraph within 90 days after receipt of the plan. If the Director disapproves the plan, he shall identify the plan's deficiency.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(11); 143-215.108(a);*

*Temporary Adoption Eff. April 27, 1999; March 1, 1999.*

#### **.1803 BEST MANAGEMENT PLANS FOR ANIMAL OPERATIONS**

(a) Contents of a best management plan. The best management plan for animal operations shall:

- (1) identify the name, location, and owner of the animal operation;
- (2) identify the name, title, address, and telephone number of the person filing the plan;
- (3) identify the sources of odor within the animal operation;
- (4) describe how odor will be controlled from:
  - (A) the animal houses;
  - (B) the animal wastewater lagoon, if used;
  - (C) the animal wastewater application lands, if used;
  - (D) waste conveyances and temporary accumulation points; and
  - (E) other possible sources of odor within the animal operation;
- (5) contain a diagram showing all structures and lagoons at the animal operation, forced air directions, and approximate distances to structures or groups of structures within 3000 feet of the property line of the animal operation; a recent or updated aerial photograph may be submitted in place of a diagram provided the items required under this Subparagraph of this Rule are shown;
- (6) for existing animal operations, contain a schedule not to exceed 12 months by which the plan will be implemented (a new animal operation is to have and be in compliance with its best management plan when it begins operation); for an amended best management plan, the implementation schedule shall not exceed 30 days;

- (6) for existing animal operations, contain a schedule not to exceed 12 months by which the plan will be implemented (a new animal operation is to have and be in compliance with its best management plan when it begins operation);
- (7) describe how the plan will be implemented, including training of personnel;
- (8) describe inspection and maintenance procedures; and
- (9) describe methods of monitoring and recordkeeping to verify compliance with the plan.
- (b) Approval of the best management plan. The Director shall approve the plan if he finds that:
  - (1) the plan contains all the required elements in Paragraph (a) of this Rule;
  - (2) the proposed schedule contained in the plan will reduce objectionable odors in a timely manner;
  - (3) the methods used to control objectionable odors are likely to prevent objectionable odors beyond the property lines of the animal operation; and
  - (4) the described compliance verification methods are sufficient to verify compliance with the plan.

The Director shall have 90 days to determine whether the proposed plan meets the requirements of this Paragraph. If the Director finds that the proposed plan does not meet the requirements of this Paragraph of this Rule, he shall notify the owner or operator of the animal operation in writing of the deficiencies in the proposed plan. The owner or operator shall have 30 days after receiving written notification from the Director to correct the deficiencies. If the Director finds that the proposed plan is acceptable, he shall notify the owner or operator in writing that the proposed plan has been approved.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215-215.107(a)(11);*

*Temporary Adoption Eff. April 27, 1999; March 1, 1999.*

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**Rule-making Agency:** North Carolina Marine Fisheries Commission

**Rule Citation:** 15A NCAC 3M.0506

**Effective Date:** May 24, 1999

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 113-134; 113-182; 113-221; 143B-289.52

**Reason for Proposed Action:** Amendment #9 to the South Atlantic Fishery Management Council was implemented in federal waters on February 24, 1999. Recent changes to rules on black sea bass were implemented by the Mid-Atlantic Fishery Management Council. The amendments are required to complement these changes and establish restrictions in state waters to mirror those in federal waters.



**Comment Procedures:** *Written comments may be submitted to the Marine Fisheries Commission, Attention Juanita Gaskill, PO Box 769, Morehead City, NC 28557.*

## CHAPTER 3 - MARINE FISHERIES

### SUBCHAPTER 3M - FINFISH

#### SECTION .0500 - OTHER FINFISH

##### **.0506 SNAPPER-GROUPER**

(a) The Fisheries Director may, by proclamation, impose any or all of the following restrictions in the fishery fisheries for species of the snapper-grouper complex and black sea bass listed in the South Atlantic Fishery Management Council Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region and for sea bass north of Cape Hatteras in order to comply with or utilize conservation equivalency to comply with the management requirements incorporated in the Fishery Management Plans Plan for Snapper-Grouper and Sea Bass developed cooperatively by the South Atlantic Fishery Management Council or Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission:

- (1) Specify size;
- (2) Specify seasons;
- (3) Specify areas;
- (4) Specify quantity;
- (5) Specify means/methods; and
- (6) Require submission of statistical and biological data.

The species of the snapper-grouper complex listed in the South Atlantic Fishery Management Council Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region is are hereby incorporated by reference and copies are available via the Federal Register posted on the Internet at [www.access.gpo.gov](http://www.access.gpo.gov) and at the Division of Marine Fisheries, P.O. Box 769, Morehead City, North Carolina 28557 at no cost.

(b) It is unlawful to possess black sea bass less than eight inches total length taken south of Cape Hatteras (35° 15' N; Latitude). Black sea bass:

- (1) It is unlawful to possess black sea bass less than 10 inches total length.
- (2) It is unlawful to take or possess more than 20 black sea bass per person per day south of Cape Hatteras without a valid Federal Commercial Snapper-Grouper permit.

(c) Gag grouper:

- (1) It is unlawful to possess gag grouper (gray grouper) less than 24 20 inches total length.
- (2) It is unlawful to possess more than two gag grouper (gray grouper) per person per day without a valid Federal Commercial Snapper-Grouper Permit.
- (3) It is unlawful to possess more than two gag grouper (gray grouper) per person per day during the months of March and April.
- (4) It is unlawful to sell or purchase gag grouper (gray grouper) taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council during the months of March and

April.

(d) Black grouper:

- (1) It is unlawful to possess black grouper less than 20 24 inches total length.
- (2) It is unlawful to possess more than two black grouper per person per day without a valid Federal Commercial Snapper-Grouper Permit.
- (3) It is unlawful to take or possess more than two black grouper per person per day during the months of March and April.
- (4) It is unlawful to sell or purchase black grouper taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council during the months of March and April.

(e) It is unlawful to possess red snapper less than 20 inches total length. It is unlawful to possess red grouper less than 20 inches total length.

(f) It is unlawful to possess red grouper less than 20 inches total length. It is unlawful to possess yellowfin grouper (fireback grouper) less than 20 inches total length.

(g) It is unlawful to possess yellowfin grouper (fireback grouper) less than 20 inches total length. It is unlawful to possess scamp less than 20 inches total length.

(h) It is unlawful to possess scamp less than 20 inches total length. It is unlawful to possess yellowmouth grouper less than 20 inches total length.

(i) It is unlawful to possess yellowmouth grouper less than 20 inches total length. Speckled hind (kitty mitchell) and warsaw grouper:

- (1) It is unlawful to sell or purchase speckled hind or warsaw grouper.
- (2) It is unlawful to possess more than one speckled hind or one warsaw grouper per vessel per trip.

(j) Greater amberjack:

- (1) For recreational purposes:
  - (A) It is unlawful to possess greater amberjack less than 36 28 inches fork length, except that persons fishing under the bag limit established in Subparagraph (2) of this Paragraph may possess a minimum 28 inch amberjack.
  - (2)(B) It is unlawful to possess more than one greater amberjack per person per day.

- (2) It is unlawful to sell or purchase greater amberjack less than 36 inches fork length.
- (3) It is unlawful to possess more than one greater amberjack per person per day without a valid Federal Commercial Snapper-Grouper Permit.
- (4) It is unlawful to possess more than one greater amberjack per person per day during the month of April.
- (5) It is unlawful to sell or purchase greater amberjack during any closed season.

(k) Vermilion Snapper: Red snapper:

- (+) It is unlawful to possess vermilion snapper (beeliner) less than 12 inches total length except that persons fishing under the bag limit established in Subparagraph (2) of this Paragraph may possess 10 inch vermilion snapper.

- (2) ~~It is unlawful to possess more than 10 vermilion snapper per person per day taken for non-commercial purposes.~~
- (1) It is unlawful to possess red snapper less than 20 inches total length.
- (2) It is unlawful to possess more than two red snapper per person per day without a valid Federal Commercial Snapper-Grouper permit.
- (l) ~~It is unlawful to possess silk snapper (yelloweye snapper) less than 12 inches total length. Vermilion Snapper:~~
  - (1) For recreational purposes:
    - (A) It is unlawful to possess vermilion snapper (beeliner) less than 11 inches total length.
    - (B) It is unlawful to possess more than 10 vermilion snapper per person per day.
  - (2) It is unlawful to possess or sell vermilion snapper (beeliner) less than 12 inches total length with a valid Federal Commercial Snapper-Grouper permit.
- (m) ~~It is unlawful to possess blackfin snapper (hambone snapper) less than 12 inches total length. It is unlawful to possess silk snapper (yelloweye snapper) less than 12 inches total length.~~
- (n) ~~It is unlawful to possess red porgy (pink or silver snapper) less than 12 inches total length. It is unlawful to possess blackfin snapper (hambone snapper) less than 12 inches total length.~~
- (o) Speckled hind (Kitty Mitchell) and Warsaw grouper: Red porgy:
  - (1) ~~It is unlawful to sell or offer for sale speckled hind or Warsaw grouper.~~
  - (2) ~~It is unlawful to possess more than one speckled hind or one Warsaw grouper per vessel per trip.~~
  - (1) It is unlawful to possess red porgy (pink or silver snapper) less than 14 inches total length.
  - (2) It is unlawful to possess more than five red porgy per person per day without a valid Federal Commercial Snapper-Grouper permit.
  - (3) It is unlawful to possess more than five red porgy per person per day during the months of March and April.
  - (4) It is unlawful to sell or purchase red porgy taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council during the months of March and April.
- (p) Combined Bag Limits: Limit for Snapper:
  - (1) ~~It is unlawful to possess more than 10 vermilion snapper and 10 other species of snappers per person; person per day of which no more than two may be red snapper, taken in any one day unless fishing aboard a vessel holding a federal vessel permit for snapper-grouper authorizing the bag limit to be exceeded; without a valid Federal Commercial Snapper-Grouper permit.~~
  - (2) It is unlawful to possess more than five grouper without a valid Federal Commercial Snapper-Grouper permit of which:
    - (A) no more than two may be gag or black grouper (individually or in combination) per person per day;
- (B) no more than one may be speckled hind or one warsaw grouper per vessel per trip.
- (3) It is unlawful to possess more than 20 fish in the aggregate per person per day of the following species without a valid Federal Commercial Snapper-Grouper permit: whitebone porgy, jolthead porgy, knobbed porgy, longspine porgy, sheepshead, gray triggerfish, queen triggerfish, yellow jack, crevalle jack, bar jack, almaco jack, lesser amberjack, banded rudderfish, white grunt, margates, spadefish, and hogfish.
- (q) Combined Bag Limit for Grouper:
  - (4) ~~It is unlawful to possess more than five grouper per person taken in any one day unless fishing aboard a vessel holding a federal vessel permit for snapper-grouper authorizing the bag limit to be exceeded.~~
  - (2) Vessels holding a federal permit authorizing the bag limit to be exceeded may not possess more than one speckled hind or one Warsaw grouper per person. It is unlawful to possess any species of the Snapper-Grouper complex except snowy, warsaw, yellowedge, and misty groupers; blueline, golden and sand tilefishes; while having longline gear aboard a vessel.
- (r) It is unlawful to possess Nassau grouper or jewfish.
- (s) Fish Traps/Pots:
  - (1) It is unlawful to use or have on board a vessel fish traps for taking snappers and groupers except sea bass pots as allowed in Subparagraph (2) of this Paragraph.
  - (2) Sea bass may be taken with pots that conform with the federal rule requirements for mesh sizes and pot size as specified in 50 CFR Part 646.2, and openings and degradable fasteners specified in 50 CFR Part 646.22(c)(2)(i), and escape vents and degradable materials as specified in 50 CFR Part 622.40 (b)(3)(i) and rules published in 50 CFR pertaining to sea bass north of Cape Hatteras (35° 15' N Latitude). Copies of these Rules are available via the Federal Register posted on the Internet at [www.access.gpo.gov](http://www.access.gpo.gov) and at the Division of Marine Fisheries, P.O. Box 769, Morehead City, North Carolina 28557 at no cost.
- (t) It is unlawful for persons in possession of a valid National Marine Fisheries Service Snapper-Grouper Permit for charter vessels to exceed the creel restrictions established in Paragraphs (b),(j), (o), and (p) of this Rule when fishing with more than three persons (including the captain and mate) on board.
- (u) In the Atlantic Ocean, it is unlawful for an individual fishing under a Recreational Commercial Gear License with seines, shrimp trawls, pots, trotlines or gill nets to take any species of the Snapper- Grouper complex.

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;

Eff. January 1, 1991;

Amended Eff. April 1, 1997; March 1, 1996; September 1, 1991;

Temporary Amendment Eff. December 23, 1996;

Amended Eff. August 1, 1998; April 1, 1997;

Temporary Amendment Eff. May 24, 1999.



*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of January 21, 1999 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an \* in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

*These rules unless otherwise noted, will become effective on the 31st legislative day of the 2000 Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.*

**APPROVED RULE CITATION**

**REGISTER CITATION TO THE  
NOTICE OF TEXT**

4	NCAC 01E	.0104*	13:08 NCR 652
4	NCAC 01K	.0102 - .0103*	13:08 NCR 652
4	NCAC 01K	.0302*	13:08 NCR 652
4	NCAC 01K	.0402*	13:08 NCR 652
10	NCAC 14V	.4301*	13:07 NCR 586
10	NCAC 14V	.4303	13:07 NCR 587
10	NCAC 14V	.4304*	13:07 NCR 587
10	NCAC 14V	.4305 - .4306	13:07 NCR 587
10	NCAC 26H	.0304*	13:08 NCR 668
15A	NCAC 21H	.0111*	13:07 NCR 591
15A	NCAC 21H	.0113	13:07 NCR 591
21	NCAC 11	.0101*	13:03 NCR 313
21	NCAC 11	.0104 - .0108*	13:03 NCR 314
21	NCAC 11	.0110*	13:03 NCR 315
21	NCAC 11	.0111	13:03 NCR 315
21	NCAC 11	.0112*	13:03 NCR 315

**TITLE 4 - DEPARTMENT OF COMMERCE**

**CHAPTER 1 - DEPARTMENTAL RULES**

**SUBCHAPTER 1E - INDUSTRIAL AND  
POLLUTION CONTROL REVENUE BONDS**

**SECTION .0100 - PURPOSE AND DEFINITIONS**

**.0104 OPERATOR**

(a) An "operator" shall mean the persons or corporate entity entitled to the use or occupancy of a project. Where all or virtually all of the stock in one corporate entity is owned (either directly or indirectly) by another corporation (i.e., a relationship commonly known as a "parent--wholly-owned subsidiary") and where final management control rests with the parent, "operator" shall be construed so as to include the total corporate responsibility implied by such a relationship. Such presumption may be rebutted where the department finds clear and convincing evidence of the independence of the subsidiary from the parent.

(b) If the initial proposed operator of a project is not expected to be the operator for the term of the bonds proposed to be issued, the Secretary may make the findings required pursuant to Rules .0303 and .0307 of this Subchapter only with respect to

the initial operator identified in the application for approval of the project. When the current operator discontinues serving as operator, and arrangements have been made by the obligor for a new operator, the new operator shall be subject to the approval of the Secretary pursuant to Rules .0303 and .0307 of this Subchapter.

(c) If an operator subsequently seeks to sell, to lease, or to sublease the project to a non-affiliated person(s) or entity, the operator must give written notice to the Department of Commerce including information prescribed by the secretary. This information shall include details of the proposed transaction, as well as name, address, NAICS code, and financial status of the non-affiliated person(s) or entity.

*History Note: Authority G.S. 159C-7; 159C-8;  
Eff. August 2, 1976;*

*Amended Eff. August 1, 2000; March 1, 1983; November 21, 1978; June 7, 1977.*

**SUBCHAPTER 1K - ECONOMIC DEVELOPMENT  
ACTIVITY OF THE COMMUNITY DEVELOPMENT  
BLACK GRANT PROGRAM**

**SECTION .0100 - GENERAL PROVISIONS**

**.0102 DEFINITIONS**

The following definitions apply to the Community Development Block Grant program Rules .0102 through .0404.

- (1) "Act" means Title I of the Housing and Community Development Act of 1974, P.L. 93-383, as amended.
- (2) "Applicant" means a local government which makes application pursuant to the provisions of this Subchapter.
- (3) "CDBG" means the State administered Community Development Block Grant Program.
- (4) "Chief Elected Official" of a local government means either the elected mayor of a city or the chairman of a county board of commissioners.
- (5) "Community Development Program" means the program of projects and activities to be carried out by the applicant with funds provided annually under this Subchapter and other resources.
- (6) "HUD" means the U.S. Department of Housing and Urban Development.
- (7) "Local Government" means any unit of general municipal or county government in the State.
- (8) "Low-Income Families" means those with a family income of 50 percent or less of median-family income. For purposes of such terms, the area involved and median income shall be determined in the same manner as provided for under the Act.
- (9) "Moderate-Income Families" means those with a family income greater than 50 percent and less than or equal to 80 percent of median-family income.
- (10) "Low and Moderate Income Persons" means members of families whose incomes are within the income limits of low and moderate income families as defined in Paragraphs (h) and (i) of this Rule.
- (11) "Metropolitan Area" means a standard metropolitan statistical area, as established by the U.S. Office of Management and Budget.
- (12) "Metropolitan City" means a city as defined by Section 102(a)(4) of the Act.
- (13) "Department" means the North Carolina Department of Commerce (DOC).
- (14) "Project" means any eligible business as defined in Paragraph (o) of this Rule and which the Economic Development Grant sector of the CDBG Program may consider so long as the project business (or businesses) presents separate, identifiable opportunities to create or retain jobs, principally for low and moderate income people. Such jobs must be created within the grant period.
- (15) The following definitions determine eligible business types for projects for which CDBG assistance is requested:
  - (a) All business types identified as eligible for New and Expanding Business tax incentives under the North Carolina William S. Lee Quality Jobs and Business Expansion Act (Article 3A of Chapter 105 of the N.C. General Statutes), as amended; and
  - (b) Other project businesses that provide public

benefit and can reasonably be interpreted as being eligible for CDBG assistance under sections 105(a)(14) and 105(a)(17) of the Housing and Community Development Act of 1974, as amended. (Also see Rule .0105 of this Subchapter regarding projects not to be considered for funding in N. C.)

- (16) "Utility Project" shall mean any water, sewer, electric or natural gas utility improvement needed to provide services to the economic development project. The applicant shall delineate which projects are to be owned and operated by a unit of government, which projects are to be owned by a unit of government and leased to an operating utility company, and which projects are to be owned and operated by a private utility company. If the project is for infrastructure which shall be leased to and maintained by a privately owned and regulated natural gas distributor, the application will state the terms of the lease between the unit of government and the private entity.

*History Note:* Filed as a Temporary Adoption Effective July 20, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

*Authority* G.S. 105-3A; 143B-431; 24 C.F.R. 570.489;

*Eff.* December 1, 1992;

Amended Eff. August 1, 2000.

**.0103 ELIGIBLE APPLICANTS**

(a) All counties except those designated by HUD as urban counties and all cities except those designated by HUD as entitlement cities or urban county cities may be applicants under this Economic Development Program.

(b) Eligibility to submit an application shall depend upon an applicant's satisfactory administrative performance with present or prior CDBG program projects. A letter of certification of eligibility from the Division of Community Assistance shall be evidence of eligibility.

*History Note:* Filed as a Temporary Adoption Effective July 20, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

*Authority* G.S. 143B-431; 42 U.S.C.A. 5301;

*Eff.* December 29, 1992;

Amended Eff. August 1, 2000.

**SECTION .0300 - FINDINGS REQUIRED FOR APPROVAL****.0302 CRITERIA FOR MAKING NECESSARY FINDINGS**

The Department shall determine criteria for making the approval findings, as follows:

- (1) The Department shall determine that the project business is capable of completing its proposed project activities in a successful manner. Capable means that there is a business history, a financial condition, or other outstanding business qualifications which



- support the conclusion that the project business is capable of operating in a successful manner;
- (2) The Department shall determine that the project is identifiable and free-standing, with its own measurable and significantly beneficial impact. Identifiable and free-standing means a project which can literally be separated out and specifically identified and determined as the project being discussed, and as such shall have its own measurable and significantly beneficial result at the project location;
  - (3) The Department shall determine that the project shall be completed. The provision of legally binding commitments from the grantee and the beneficiary employer or employers shall be sufficient evidence that the project is to be completed;
  - (4) The Department shall determine that there is a substantial benefit to persons of low and moderate income. Substantial benefit to persons of low and moderate income may be evidenced by employer commitments to assure that 60% of jobs created or saved shall be held by persons of prior low and moderate family income status;
  - (5) The Department shall determine that there is a favorable ratio or relationship between the jobs created and the number of CDBG dollars invested in the project. Favorable shall mean that a project will create or retain jobs at a rate equal to a ratio of CDBG dollars required for the type of project company involved, and the local government has committed to meet the local to CDBG match requirement as required by current program rules and for the project type proposed.
  - (6) The Department shall determine that there is a favorable relationship between the total dollars invested in the project, the amount of CDBG money invested, and the anticipated taxes or other revenues to either or both the municipality and county having taxing authority and jurisdiction.
  - (7) The Department shall determine for jobs to be created (or retained), the NC Enterprise Tier or Development Zone designation level of the project site shall be considered for each application, along with the latest unemployment figures and impact on the actual number of unemployed persons. To the extent feasible, priority consideration shall be given for CDBG assistance for projects in the most distressed areas of the state.
  - (8) The Department shall determine that required compliance with federal and state rules and legal requirements are documented by the grantee. The extent of documentation required shall be that as considered as reasonable by the Director of the Commerce Finance Center.
  - (9) The Department shall determine that if the project involves retail, service or other local market business, the application shall include surveys or other market studies as evidence that similar businesses in the 15-

25 mile labor work force area support the project and that the project shall not jeopardize the jobs in their businesses; and

- (10) The Department shall determine that the application presents evidence for a finding that the local government applicant, or the project business in the case of a loan project, has a reasonable and appropriate gap or need for the CDBG assistance requested.

*History Note: Filed as a Temporary Adoption Effective July 20, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*

*Authority G.S. 105-3A; 143B-431; 24 C.F.R. 570.489; 42 U.S.C.A. 5301;*

*Eff. December 29, 1992;*

*Amended Eff. August 1, 2000.*

## **SECTION .0400 - GRANT ADMINISTRATION**

### **.0402 METHOD OF PAYMENT**

Recipients shall receive payments based on requisitions submitted for immediate disbursing needs as approved by the Department. No funds shall be kept on deposit for more than three banking days by the local government grantee. If for any reason the grant costs for which funds were requisitioned cannot be paid as intended within three days, the local government finance officer shall return the unused funds or contact the Commerce Finance Center.

*History Note: Filed as a Temporary Adoption Effective July 20, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*

*Authority G.S. 143B-431; 24 C.F.R. 570.489; 42 U.S.C.A. 5304(g);*

*Eff. December 1, 1992;*

*Amended Eff. August 1, 2000.*

## **TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **CHAPTER 14 - MENTAL HEALTH: GENERAL**

#### **SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES**

### **SECTION .4300 - THERAPEUTIC COMMUNITY**

#### **.4301 SCOPE**

(a) A Therapeutic Community is a highly structured, supervised, 24-hour residential facility designed to treat the behavioral and emotional issues of individuals to promote self-sufficiency and a crime and drug-free lifestyle.

(b) The Therapeutic Community shall emphasize self-help.

abstinence from drugs and alcohol, personal growth, peer support, and may serve as an alternative to incarceration.

(c) Services shall be designed to create the environment of an extended family in which individuals develop self-esteem, construct a productive lifestyle through peer support and actual experience, leading to a successful re-entry into the larger community.

(d) The facility shall provide or ensure access to a variety of intensive therapy and program milieu approaches designed to confront and modify the client's anti-social and dysfunctional behavior.

(e) The goal shall be to assist the client in learning socially acceptable skills for coping with responsibilities and relationships, and to maintain a lifestyle which is substance abuse free.

(f) Consideration shall be given to meeting client needs in social, medical, psychological, vocational and educational areas.

(g) If children are residing in a Therapeutic Community, the facility shall also meet the rules for Therapeutic Homes for Individuals with Substance Abuse Disorders and Their Children set forth in Section .4100 of this Subchapter except for 10 NCAC 14V. 4102(c), 4102(e), .4103(2), and .4104(b).

*History Note: Authority G.S. 143B-147;  
Eff. August 1, 2000.*

#### **.4304 OPERATIONS**

(a) Admission to a Therapeutic Community facility shall be a joint decision of the qualified therapeutic community professional, direct care staff and the individual.

(b) Each facility shall operate in partnership with the staff and the self-government structure of the program.

(c) The services of a qualified therapeutic community professional shall be available on an as-needed basis.

(d) Each individual admitted to a facility shall receive services appropriate to his or her needs and age.

(e) The purpose of this program shall be to provide clients with on-the-job work skills, training and work ethic development, and to provide revenue to support the program.

(f) A component of therapeutic communities may be business training schools, licensed when appropriate, which may include moving and storage, landscaping, construction, telemarketing, secretarial and clerical, retail sales, and temporary job placement. Revenue produced through the operation of business training schools shall be placed in the general operating fund.

(g) Residents shall not receive any income; and

(h) Programs may accept clients at no charge and shall provide an opportunity for clients to pay for their own treatment.

(i) Each facility shall provide or have access to the following services:

- (1) a structured environment which emphasizes behavior change and cognitive skills;
- (2) assessment of the appropriateness for participation in a therapeutic community or referral elsewhere;
- (3) recovery skills;
- (4) relationship skills;
- (5) communication skills;

- (6) coordination of support services;
- (7) interactive training for employment;
- (8) recreational and enrichment skills;
- (9) life skills which promote self-sufficiency;
- (10) parenting skills;
- (11) drug and crime free education; and
- (12) after care and transitional living services skills.

*History Note: Authority G.S. 143B-147;  
Eff. August 1, 2000.*

## **CHAPTER 26 - MEDICAL ASSISTANCE**

### **SUBCHAPTER 26H - REIMBURSEMENT PLANS**

#### **SECTION .0300 - ICF-MR PROSPECTIVE RATE PLAN**

##### **.0304 RATE SETTING METHOD FOR NON-STATE FACILITIES**

(a) A prospective rate shall be determined annually for each non-state facility to be effective for dates of service for a 12 month rate period beginning each July 1. The prospective rate shall be paid to the provider for every Medicaid eligible day during the applicable rate year. The prospective rate may be determined after the effective date and paid retroactively to that date. The prospective rate may be changed due to a rate appeal under Rule .0308 of this Section or facility reclassification under Paragraph (b) of this Rule. Each non-state facility, except those facilities where Paragraph (v) of this Rule applies, shall be classified into one of the following groups:

- (1) Group 1- Facilities with 32 beds or less.
- (2) Group 2- Facilities with more than 32 beds.
- (3) Group 3- Facilities with medically fragile clients. For rate reimbursement purposes under this Rule medically fragile clients are defined as any individual with complex medical problems who have chronic debilitating diseases or conditions of one or more physiological or organ systems which generally make them dependent upon 24-hour a day medical/nursing/health supervision or intervention.
- (4) Facilities in group 1 or 2 in Subparagraph (a)(1) or (2) of this Rule shall be further classified in accordance to the level of disability of the facility's clients, as measured by the Developmental Disabilities Profile (DDP) copyrighted assessment instrument which along with the scoring instrument are hereby incorporated by reference, including subsequent amendments and editions. This material is available for inspection and copies may be obtained from the Division of Medical Assistance, 1985 Umstead Drive, Raleigh, North Carolina 27603 at a cost of twenty cents (\$.20) per page. A summary of the levels of disability is shown in the following chart:



## FACILITY DDP SCORE

Level	Low	High
1	200.00	300.00
2	125.00	199.99
3	100.00	124.99
4	75.00	99.99
5	50.00	74.99

(b) Facilities shall be reclassified into appropriate groups as defined in Paragraph (a) of this Rule.

- (1) When a facility is reclassified, the rate shall be adjusted retroactively back to the date of the event that caused the reclassification. This adjustment shall give full consideration to any reclassification based on the change in facts or circumstances during the year. Overpayments related to this retroactive rate adjustment shall be repaid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.
- (2) The provider shall be given the opportunity to appeal the merits of the reclassification of any facility, prior to any decision by the Division of Medical Assistance.
- (3) The provider shall be notified in writing 30 days before the implementation of new rates resulting from the reclassification of any facility.
- (4) The providers and the Division of Medical Assistance shall make every reasonable effort to ensure that each facility is properly classified for rate setting purposes.
- (5) A provider shall file any request for facility reclassification in writing with the Division of Medical Assistance no later than 60 days subsequent to the proposed reclassification effective date.
- (6) For facilities certified prior to July 1, 1993, the facility DDP score calculated for fiscal year 1993 shall be used to establish proper classification at July 1, 1995.
- (7) For facilities certified after June 30, 1993, the most recent facility DDP score shall be used to establish proper classification.
- (8) A facility reclassification review shall use the most current facility DDP score.
- (9) A facility's DDP score shall be subject to independent validation by the Division of Medical Assistance.
- (10) A new facility that has not had a DDP survey conducted on its clients shall be categorized as a level 2 facility for rate setting purposes, pending completion of the DDP survey. Upon completion of the DDP survey, the facility shall be subject to reclassification and rates shall be adjusted retroactively back to the date of certification. Overpayments related to this retroactive adjustment shall be paid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.

(c) Facility rates under this Rule shall be established at July 1, 1995, under the following:

- (1) For facilities certified prior to July 1, 1993, rates shall be derived from the 1993 cost reports.
- (2) For facilities certified during fiscal year 1993-1994, the fiscal year 1994 facility specific cost report shall be used to derive rates.
- (3) For facilities certified during fiscal year 1994-1995, the fiscal year 1995 facility specific cost report shall be used to derive rates. Rates for these facilities shall not be adjusted, except for the impact of inflation under Paragraph (k) of this Rule, until the fiscal year 1995 cost report has been reviewed. Rates for these facilities shall be adjusted retroactively back to July 1, 1995, once the fiscal year 1995 facility specific cost report has been properly reviewed. Overpayments related to this retroactive rate adjustment shall be repaid to the Medicaid program. Underpayments related to this retroactive rate adjustment shall be paid to the provider.
- (4) Facilities with rates established during a rate appeal proceeding with the Division of Medical Assistance during fiscal years 1994 or 1995 shall not have their rates established in accordance with Subparagraph (c)(1), (c)(2), or (c)(3) of this Rule. The rates for these facilities shall remain at the level approved in the rate appeal proceeding adjusted only for inflation, as reflected in Paragraph (k) of this Rule.

(d) For facilities certified after June 30, 1993, rates developed from filed cost reports for fiscal years subsequent to 1993 may be retroactively adjusted if there is found to exist more than a two percent difference between the filed per diem cost and either the desk audited or field audited per diem cost for the same reporting period. Rates developed from desk audited cost reports may be retroactively adjusted if there is found to exist more than a two percent difference between the desk audited per diem cost and the field audited per diem cost for the same reporting period. The rate adjustment may be made after written notification to the provider 30 days prior to implementation of the rate adjustment.

(e) Each prospective rate developed in accordance with Subparagraph (c)(1), (c)(2), or (c)(3) of this Rule consists of the sum of two components as follows:

- (1) Indirect care rate.
- (2) Direct care rate.

(f) A uniform industry wide indirect care rate shall be established for each facility category shown under Subparagraph

(a)(1), (a)(2), or (a)(3) of this Rule.

- (1) The indirect rate for group 1 facilities is based on the fiftieth percentile of the following costs incurred by all group 1 facilities with six beds or less, except those related by common ownership or control to more than 40 said facilities: The sum of the cost of property ownership and use, administrative and general, and operation and maintenance of plant, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
  - (2) The indirect rate for group 2 facilities is based on the fiftieth percentile of the costs noted in Part (f)(1) of this Rule incurred by the group 2 facilities, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
  - (3) The indirect rate for group 3 facilities is based on the fiftieth percentile of the costs noted in Part (f)(1) of this Rule incurred by the group 3 facilities, as determined by the Myers and Stauffer study performed on the 1993 base year cost reports.
  - (4) The indirect rates established under Subparagraphs (f)(1), (f)(2), and (f)(3) of this Rule shall be reduced as determined based on industry cost analysis by an amount not to exceed four percent to account for expected operating efficiencies.
- (g) The direct care rate for facilities certified prior to July 1, 1993, shall be based on the Myers and Stauffer study performed on the 1993 base year cost reports.
- (1) The direct care rate for all facilities certified during fiscal years subsequent to fiscal year 1993 is based on the first facility specific cost report filed after certification. Based on said cost report, the direct care rate is equal to the sum of all allowable costs reflected in the ICF-MR cost report cost centers, as included in the ICF-MR cost report format effective July 1, 1993, except for the following indirect cost centers:
    - (A) Property Ownership and Use,
    - (B) Operation and Maintenance of Plant and Housekeeping-Non-Labor,
    - (C) Administrative and General.
  - (2) The direct care rate shall be limited to the lesser of the actual amount incurred in the base year or the cost limit derived from the fiftieth percentile of direct care costs incurred by the related facility group in the fiscal year 1993 base year, based on the Myers and Stauffer study.
  - (3) The fiftieth percentile cost limit shall be reduced by one percent each year, for the four year period beginning July 1, 1996, in order to account for expected operating efficiencies, as determined based on industry cost analysis.
  - (4) The fiftieth percentile cost limit shall be increased each year by price level changes calculated in accordance with Paragraph (k) of this Rule.
- (h) The indirect rate shall not be subject to cost settlement.
- (1) Costs above the indirect rate shall not be paid to the provider.
  - (2) Costs savings below the indirect rate shall not be

recouped from the provider.

- (i) The direct care rate shall be subject to cost settlement, based on the cost report, subject to audit, filed with the Division of Medical Assistance.
  - (1) Costs above the direct rate shall not be paid to the provider.
  - (2) Cost savings below the direct rate shall be recouped from the provider.
- (j) Facilities with rates established during a rate appeal proceeding with the Division of Medical Assistance during fiscal years 1994 or 1995 may choose to cost settle under the provisions of Paragraphs (h) and (i) of this Rule, or under the following procedure:
  - (1) If, during a cost reporting period, total allowable costs are less than total prospective payments, then a provider may retain one-half of said difference, up to an amount of five dollars (\$5.00) per patient day. The balance of unexpended payments shall be refunded to the Division of Medical Assistance. Costs in excess of a facility's total prospective payment rate are not reimbursable.
  - (2) The facilities subject to the Paragraph shall make the election on cost settlement methodology on or before the filing of the annual cost report with the Division of Medical Assistance.
  - (3) An election to follow the cost settlement procedures of Paragraphs (h) and (i) of this Rule shall be irrevocable.
  - (4) Rates established for these facilities during future rate appeal proceedings shall be subject to the cost settlement procedures of Paragraphs (h) and (i) of this Rule.
- (k) To compute each facility's current prospective rate, the direct and indirect rates established by Paragraphs (f) and (g) of this Rule shall be adjusted for price level changes since the base year. No inflation factor for any provider shall exceed the maximum amount permitted for that provider by federal or state law and regulations.
  - (1) Price level adjustment factors are computed using aggregate costs in the following manners:
    - (A) Costs shall be separated into three groups:
      - (i) Labor.
      - (ii) Non-labor.
      - (iii) Fixed.
    - (B) The relative weight of each cost group is calculated to the second decimal point by dividing the total costs of each group (labor, nonlabor, and fixed) by the total cost of the three categories.
    - (C) Price level adjustment factors for each cost group shall be established as follows:
      - (i) Labor. The percentage change for labor costs is based on the projected average hourly wage of North Carolina service workers. Salaries for all personnel shall be limited to levels of comparable positions in state owned facilities or levels specified by the Division of



Medical Assistance based upon market analysis.

- (ii) Nonlabor. The percentage change for nonlabor costs is based on the projected annual change in the implicit price deflator for the Gross National Product as provided by the North Carolina Office of State Budget and Management.
- (iii) Fixed. No price level adjustment shall be made for this category.

- (D) The weights computed in Part (k)(1)(B) of this Rule shall be multiplied by the rates computed in Part (k)(1)(C) of this Rule. These weighted rates shall be added to obtain the composite inflation rate to be applied to both the direct and indirect rates.

(l) Effective July 1, 1995, any rate reductions resulting from this Rule shall be implemented based on the following deferral methodology:

- (1) Rates shall be reduced for the excess of current rates over base year costs plus inflation.
- (2) Rates shall be reduced a maximum of 50 percent of the fiscal 1996 inflation rate for the excess of actual costs over applicable cost limits. This reduction shall result in the facility receiving at a minimum 50 percent of the 1996 inflation rate. Any excess reduction shall be carried forward to future years.
- (3) Total reduction in future years related to the excess reduction carried forward from Subparagraph (l)(2) of this Rule, shall not exceed the annual rate of inflation. This reduction shall result in the facility receiving at a minimum the rate established in Paragraph (l)(2) of this Rule. Any excess reduction shall be carried forward to future years, until the established rate equals that generated by Paragraphs (f), (g), and (k) of this Rule.
- (4) Rates calculated based on Subparagraphs (l)(2) and (3) of this Rule shall be cost settled based on the provisions of Subparagraph (j)(1) of this Rule until the fiscal year that the facility receives full price level increase under Paragraph (k) of this Rule.

- (A) A provider may make an irrevocable election to cost settle under the provisions of Paragraphs (h) and (i) of this Rule during the deferral period.

- (B) Once the rates calculated based on Subparagraphs (l)(2) and (3) of this Rule reach the fiscal year that the facility receives the full price level increase under Paragraph (k) of this Rule, then said fiscal year's rates shall be cost settled based on Paragraphs (h) and (i) of this Rule.

- (C) Chain providers are allowed to file combined cost reports, for cost settlement purposes, for facilities that use the same cost settlement methodology and have the same uniform rate.

- (D) A provider may elect to continue cost

settlement under Subparagraph (j)(1) of this Rule after the deferral period expires. Said election shall be made each year, 30 days prior to the cost report due date.

- (m) The initial rate for facilities that have been awarded a Certificate of Need is established at the lower of the fair and reasonable costs in the provider's budget, as determined by the Division of Medical Assistance, or the projected costs in the provider's Certificate of Need application, adjusted from the projected opening date in the Certificate of Need application to the current rate period in which the facility is certified based on the price level change methodology set forth in Paragraph (k) of this Rule, or the rate currently paid to the owning provider, if the provider currently has an approved chain rate for facilities in the related facility category. The rate may be rebased to the actual cost incurred in the first full year of normal operations in the year an audit of the first year of normal operation is completed.

- (1) In the event of a change in ownership, the new owner receives no more than the rate of payment assigned to the previous owner.

- (2) Except in cases wherein the provider has failed to file supporting information as requested by the Division of Medical Assistance, initial rates shall be granted to new enrolled facilities no later than 60 days from the provider's filing of properly prepared budgets and supporting information.

- (3) The initial rate for a new facility shall be applicable to all dates of service commencing with the date the facility is certified by the Medicaid Program.

- (4) The initial rate for a new facility shall not be entered into the Medicaid payment system until the facility is enrolled in the Medicaid program and a Medicaid identification number has been assigned to the facility by the Division of Medical Assistance.

- (n) A provider with more than one facility may be allowed to recover costs through a combined uniform rate for all facilities.

- (1) Combined uniform rates for chain providers shall be approved upon written request from the provider and after review by the Division of Medical Assistance.

- (2) In determining a combined uniform rate for a particular facility group, the weighted average of each facility's rate, calculated in accordance to all other provisions of this Rule, shall be used.

- (3) A chain provider with facility(s) that fall under Paragraphs (h) and (i) of this Rule and with facility(s) that fall under Subparagraph (l)(4) of this Rule may elect to include the facilities in a combined cost report and elect to cost settle under either Paragraphs (h) and (i) or Subparagraph (l)(4) of this Rule. The cost settlement election shall be made each year, 30 days prior to the cost report due date.

- (o) Each out-of-state provider shall be reimbursed at the lower of the applicable North Carolina rate, as established by this Rule for in-state facilities, or the provider's per diem rate as established by the state in which the provider is located. An out-of-state provider is defined as a provider that is enrolled in the Medicaid program of another state and provides ICF-MR services to a North Carolina Medicaid client in a facility located

in the state of enrollment. Rates for out-of-state providers are not subject to cost settlement.

(p) Under no circumstances shall the Medicaid per diem rate exceed the private pay rate of a facility.

(q) Should the Division of Medical Assistance be unable to establish a rate for a facility, based on this Rule and the applicable facts known, the Division of Medical Assistance may approve an interim rate.

(1) The interim rate shall not exceed the rate cap established under this Rule for the applicable facility group.

(2) The interim rate shall be replaced by a permanent rate, effective retroactive to the commencement of the interim rate, by the Division of Medical Assistance, upon the determination of said rate based on this Rule and the applicable facts.

(3) The provider shall repay to the Division of Medical Assistance any overpayment resulting from the interim rate exceeding the subsequent permanent rate.

(r) In addition to the prospective per diem rate developed under this Rule, effective July 1, 1992, an interim payment add on shall be applied to the total rate to cover the estimated cost required under Title 29, Part 1910, Subpart 2, Rule 1910.1030 of the Code of Federal Regulations. The interim rate shall be subject to final settlement reconciliation with reasonable cost to meet the requirements of Rule 1910.1030. The final settlement reconciliation shall be effectuated during the annual cost report settlement process. An interim rate add on to the prospective rate shall be allowed, subject to final settlement reconciliation, in subsequent rate periods until cost history is available to include the cost of meeting the requirements of Rule 1910.1030 in the prospective rate. This interim add on shall be removed, upon 10 days written notice to providers, should it be determined by appropriate authorities that the requirements under Title 29, Part 1910, Subpart 2, Rule 1910.1030 of the Code of Federal Regulations do not apply to ICF-MR facilities.

(s) All rates, except those noted otherwise in this Rule, approved under this Rule are considered to be permanent.

(t) In the event that the rate for a facility cannot be developed so that it shall be effective on the first day of the rate period, due to the provider not submitting the required reports by the due date, the average rate for facilities in the same facility group, or the facility's current rate, whichever is lower, shall be in effect until such time as the Division of Medical Assistance can develop a new rate.

(u) When the Division of Medical Assistance develops a new rate for a facility for which a rate was paid in accordance with Paragraph (t) of this Rule, the rate developed shall be effective on the first day of the second month following the receipt by the Division of Medical Assistance of the required reports. The Division of Medical Assistance may, upon its own motion or upon application and cause related to patient care shown by the provider, within 60 days subsequent to submission of the delinquent report, make the rate retroactive to the beginning of the rate period in question. Any overpayment to the provider resulting from this temporary rate being greater than the final approved prospective rate for the facility shall be repaid to the Medicaid Program.

(v) ICF-MR facilities meeting the requirements of the North Carolina Division of Facility Services as a facility affiliated with one or more of the four medical schools in the state and providing services on a statewide basis to children with various developmental disabilities who are in need of long-term high acuity nursing care, dependent upon high technology machines (i.e. ventilators and other supportive breathing apparatus) monitors, and feeding techniques shall have a prospective payment rate that approximates cost of care. The payment rate may be reviewed periodically, no more than quarterly, to assure proper payment. A cost settlement at the completion of the fiscal period year end is required. Payments in excess of cost are to be returned to the Division of Medical Assistance.

(w) A special payment in addition to the prospective rate shall be made in the year that any provider changes from the cash basis to the accrual basis of accounting for vacation leave costs. The amount of this payment shall be determined in accordance with Title XVIII allowable cost principles and shall equal the Medicaid share of the vacation accrual that is charged in the year of the change including the cost of vacation leave earned for that year and all previous years less vacation leave used or expended over the same time period and vacation leave accrued prior to the date of certification. The payment shall be made as a lump sum payment that represents the total amount due for the entire fiscal year. An interim payment may be made based on an estimate of the cost of the vacation accrual. The payment shall be adjusted to actual cost after audit.

(x) The annual prospective rate, effective beginning each July 1, for facilities that commenced operations under the Medicaid Program subsequent to the base year used to establish rates, and therefore did not file a cost report for the base year, shall be based on the facility's initial rate, established in accordance with Paragraph (m) of this Rule, and the applicable price level changes, in accordance with Paragraph (l) of this Rule.

(y) Effective for fiscal years beginning on or after fiscal year 1998, installation cost of Fire Sprinkler Systems in an ICF-MR Facility shall be reimbursed in the following manner.

(1) Upon receipt of the documentation listed in Parts (A) through (E) of this Subparagraph, the Division of Medical Assistance shall reimburse directly to the provider 90 percent of the verified cost.

- (A) All related invoices.
- (B) Verification from the Division of Facility Services that the Sprinkler System is needed to maintain certification for participation in the Medicaid program.
- (C) Statement from appropriate authorities that the Sprinkler System has been installed. Examples of appropriate authorities for this purpose would include local building inspectors, insurance company inspectors, or the construction section of the Division of Facilities Services.
- (D) Three bids to install the system.
- (E) Prior approval from the Division of Medical Assistance for any installation projected to cost more than twenty-five thousand dollars (\$25,000). Prior approval shall be granted



based upon determination by the Divisions of Medical Assistance that the cost is reasonable considering the specifics of the installation. The burden to provide adequate documentation that the cost is reasonable is the responsibility of the provider.

- (2) The unreimbursed installation cost shall be reimbursed after audit through the annual Cost Settlement Process. This portion shall be offset by profits, after taking into consideration any indirect profits and direct losses. Any overpayments determined after audit shall be returned to the program by the provider through the annual cost settlement process.
- (3) The installation of the Sprinkler System is subject to Prudent Buyer Standards contained in the HCFA-15.
- (4) The Sprinkler System's installation costs shall be recorded on the provider's ICF-MR Cost Report.

*History Note: Filed as a Temporary Amendment Eff. July 8, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Authority G.S. 108A-25(b); 108A-54; 108A-55; 42 C.F.R. Part 447, Subpart C;*  
*Eff. December 1, 1984;*  
*Amended Eff. August 1, 1995; November 1, 1993; March 1, 1988; January 1, 1987;*  
*Temporary Amendment Eff. August 7, 1998;*  
*Amended Eff. August 1, 2000.*

## **TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

### **CHAPTER 21 - HEALTH: PERSONAL HEALTH**

#### **SUBCHAPTER 21H - SICKLE CELL SYNDROME: GENETIC COUNSELING: CHILDREN AND YOUTH SECTION**

##### **SECTION .0100 - SICKLE CELL SYNDROME PROGRAM**

###### **.0111 MEDICAL SERVICES PROVIDED**

(a) The North Carolina Sickle Cell Syndrome Program shall provide services only when they are not available through other sources or agencies. Prior to requesting services, it shall be determined that the patient is not eligible for services through the division of services for the blind; Medicaid and Medicare programs; school health program; vocational rehabilitation; workmen's compensation or civilian health and medical programs of the uniformed services (CHAMPUS).

(b) If an individual meets the eligibility requirements, he shall be provided the following medical services:

- (1) inpatient care;
- (2) routine visits to the physician;
- (3) prescription drugs;

- (4) general analgesics;
- (5) appliances;
- (6) preventive and limited maintenance dentistry;
- (7) obstetrical care (excluding delivery of baby);
- (8) eye care (when the division of services for the blind will not provide coverage);
- (9) psychiatric; and
- (10) psychological counseling.

*History Note: Filed as a Temporary Amendment Eff. October 14, 1998, for a period of 180 Days to Expire on April 12, 1989;*  
*Filed as a Temporary Amendment Eff. November 7, 1983, for a period of 120 Days to Expire on March 4, 1984;*  
*Authority G.S. 130A-129;*  
*Eff. February 1, 1976;*  
*Amended Eff. April 22, 1977;*  
*Readopted Eff. December 5, 1977;*  
*Amended Eff. October 1, 1984; July 1, 1982; January 1, 1982;*  
*Expired Temporary Amendment Eff. April 12, 1989;*  
*Amended Eff. September 1, 1990;*  
*Temporary Amendment Eff. June 19, 1996;*  
*Temporary Amendment Expired on March 11, 1997;*  
*Amended Eff. August 1, 2000.*

## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 11 - NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS**

#### **SECTION .0100 - ADMINISTRATION**

##### **.0101 SCOPE**

(a) This Chapter sets forth rules for the North Carolina Board of Employee Assistance Professionals.

(b) The mailing address of the Board is P. O. Box 10344, Raleigh, North Carolina 27605-0344.

*History Note: Authority G.S. 90-509;*  
*Temporary Adoption Eff. May 5, 1998;*  
*Eff. August 1, 2000.*

##### **.0104 LICENSE APPLICATION**

(a) An application shall not be considered complete unless it is submitted using the Board's form and unless the Board has received the application fee.

(b) Both an initial and renewal license are valid for a period of three years.

*History Note: Authority G.S. 90-503;*  
*Temporary Adoption Eff. May 5, 1998;*  
*Eff. August 1, 2000.*

##### **.0105 TRANSCRIPTS AND OTHER SUPPORTING DOCUMENTS**

(a) Official educational transcripts submitted to support an

application for licensure shall be submitted to the Board directly from the educational institution.

(b) An applicant shall provide documents and information to support claimed educational credentials if transcript course titles are ambiguous and do not convey the content of courses. Such documents may be official catalog descriptions, course syllabi, reading lists, term papers, theses and written research.

(c) A current copy of an applicant's certification by the Employee Assistance Certification Commission, as an employee assistance professional, shall be submitted with the application.

*History Note: Authority G.S. 90-503;*

*Temporary Adoption Eff. May 5, 1998;*

*Eff. August 1, 2000.*

#### **.0106 REVIEW OF APPLICATIONS**

(a) The Board shall review each completed initial application for licensure and issue a license to an applicant who meets the requirements for licensure.

(b) The Board shall review each completed application for renewal of licensure and issue a renewal license to an applicant who meets the requirements for renewal.

(c) Upon application for an initial or renewal license, each applicant shall agree, in writing, to comply with the Employee Assistance Certification Commission Code of Professional Conduct and the Employee Assistance Professional Association Code of Ethics.

*History Note: Authority G.S. 90-502; 90-504; 90-505;*

*Temporary Adoption Eff. May 5, 1998;*

*Eff. August 1, 2000.*

#### **.0107 NOTICE OF DENIAL OF INITIAL OR RENEWAL APPLICATION**

(a) The Board shall notify each applicant, in writing, of the reason for which an application for initial licensure or renewal of licensure was denied.

(b) The applicant shall have the right to file a petition for a contested case hearing in accordance with G.S. 150B, Article 3A.

*History Note: Authority G.S. 90-502; 150B-38;*

*Temporary Adoption Eff. May 5, 1998;*

*Eff. August 1, 2000.*

#### **.0108 DISCIPLINARY ACTION/HEARING**

(a) The Board shall impose reasonable discipline for conduct it finds in violation of G.S. 90-509, only after conducting a hearing in accordance with G.S. 150B, Article 3A.

(b) Board disciplinary action may include:

- (1) admonishment: a serious warning for mild misconduct;
- (2) reprimand: a public rebuke and sanction for misconduct, which may require follow-up actions by the licensee;
- (3) suspension: withdrawal of the privilege of using the title of Licensed Employee Assistance Professional during the time frame specified by the Board; and

(4) revocation: permanent withdrawal of the privilege of using the title of Licensed Employee Assistance Professional. A Licensed Employee Assistance Professional whose license is revoked by the Board must surrender the license certificate to the Board;

(c) Any disciplinary action may be suspended for a reasonable period not to exceed one year upon such terms and conditions as the Board deems appropriate, if in the sole discretion of the Board, it is in the best public interest to do so.

(d) Notification of final disciplinary action shall be made to the Employee Assistance Professionals Association and the Employee Assistance Certification Commission, within 30 days of the final action taken by the Board.

*History Note: Authority G.S. 90-509; 150B-40; 150B-41;*

*Temporary Adoption Eff. May 5, 1998;*

*Eff. August 1, 2000.*

#### **.0110 ETHICAL STANDARDS**

(a) The Code of Professional Conduct for Certified Employee Assistance Professionals, Fourth Edition are hereby incorporated by reference. This referenced material shall include any editions and amendments promulgated by the Employee Assistance Certification Commission. It may be obtained at no cost from the EACC/Certification Department/EAPA, 2101 Wilson Blvd., Suite 500, Arlington, Virginia 22201-3022.

(b) The Employee Assistance Professionals Association Code of Ethics is hereby incorporated by reference. This referenced material shall include any subsequent editions and amendments. It may be obtained at no cost from the EACC/Certification Department/EAPA, 2101 Wilson Blvd., Suite 500, Arlington, Virginia 22201-3022.

*History Note: Authority G.S. 90-509;*

*Temporary Adoption Eff. May 5, 1998;*

*Eff. August 1, 2000.*

#### **.0112 PENALTIES**

In accordance with G.S. 90-506 when requested, the Board shall review its assessment of a civil penalty against an individual in a contested case hearing as set forth in G.S. 150B, Article 3A.

*History Note: Authority G.S. 90-506; 150B-38; 150B-39;*

*Temporary Adoption Eff. May 5, 1998;*

*Eff. August 1, 2000.*



## RULES REVIEW COMMISSION

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, May 20, 1999, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, May 17, 1999, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

### RULES REVIEW COMMISSION MEMBERS

#### Appointed by Senate

Teresa L. Smallwood, Vice Chairman  
John Arrowood  
Laura Devan  
Jim Funderburke  
David Twiddy

#### Appointed by House

Paul Powell, Chairman  
Anita White, 2<sup>nd</sup> Vice Chairman  
Mark Garside  
Steve Rader  
George Robinson

### RULES REVIEW COMMISSION MEETING DATES

April 15, 1999  
May 20, 1999  
June 17, 1999  
July 15, 1999  
August 19, 1999

September 16, 1999  
October 21, 1999  
November 18, 1999  
December 16, 1999

### LOG OF FILINGS

#### RULES SUBMITTED: MARCH 20, 1999 THROUGH APRIL 20, 1999

AGENCY/DIVISION	RULE NAME	RULE	ACTION
<b>DENR/MARINE FISHERIES COMMISSION</b>			
	Special Rules, Joint Waters	15 NCAC 3Q .0107	Amend
<b>DENR/COASTAL RESOURCES COMMISSION</b>			
	Purpose	15 NCAC 7H .2401	Amend
	Approval Procedures	15 NCAC 7H .2402	Amend
	Permit Fee	15 NCAC 7H .2403	Amend
	General Conditions	15 NCAC 7H .2404	Amend
	Specific Conditions	15 NCAC 7H .2405	Amend
<b>STATE BOARDS/N C AUCTIONEERS COMMISSION</b>			
	Board Office	21 NCAC 4B .0102	Amend
<b>STATE BOARDS/N C LICENSING BOARD FOR GENERAL CONTRACTORS</b>			
	Eligibility	21 NCAC 12 .0204	Amend

### RULES REVIEW COMMISSION

#### April 15, 1999 MINUTES

The Rules Review Commission met on April 15, 1999, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Paul Powell, Steven P. Rader, R. Palmer Sugg, Jim

Funderburk, Laura Devan, John Arrowood, Mark P. Garside, and George S. Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; Celia Cox; and Sandy Webster.

The following people attended:

Thomas R. West	Poyner & Spruill
Jack Watts	N C Board of Pharmacy
Denise Stanford	N C Board of Pharmacy
Marcy Dion	NCMS
Dedra Alston	DENR
Ann Christian	Attorney
Emily Lee	Transportation
Barbara Rote	DENR/Wildlife Resources Commission

#### **APPROVAL OF MINUTES**

The meeting was called to order at 10:03 a.m. with Chairman Powell presiding. He asked for any discussion, comments, or corrections concerning the minutes of the March 18, 1999 meeting. There being none, the minutes were approved.

#### **FOLLOW-UP MATTERS**

10 NCAC 3R .6112: DHHS/Medical Care Commission – The Commission voted to return the rule to the agency.

17 NCAC 6B .0118: DEPARTMENT OF REVENUE – The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 46 .1804: N C Board of Pharmacy – The rewritten rule submitted by the agency was objected to by the Commission due to lack of necessity. Based on comments by Pharmacy Board member Jack G. Watts and answers to questions from the Commissioners it appears that the rule either will not accomplish what the Board desires or else statutory provisions are already sufficient. Commissioner Rader voted not to object.

21 NCAC 46: N C Board of Pharmacy – The request for a declaratory ruling was tabled on a motion by Commissioner Arrowood.

#### **LOG OF FILINGS**

Chairman Powell presided over the review of the log and all rules were unanimously approved with the following exceptions:

15A NCAC 10B .0105: DENR/Wildlife Resources Commission – The Commission objected to this rule due to ambiguity. In (a)(3), the rule provides that a limited number of swan permits will be issued by the Wildlife Resources Commission. It is not clear how the number will be determined. This objection applies to existing language in the rule.

15A NCAC 10B .0212: DENR/Wildlife Resources Commission – The Commission objected to this rule due to ambiguity. Paragraph (b)(2) sets the bag limit for foxes at the number of tags allotted for a county. It is not clear how many have been allotted for each county. This objection applies to existing language in the rule.

#### **COMMISSION PROCEDURES AND OTHER MATTERS**

Mr. DeLuca stated that Celia Cox has joined our office replacing Glenda Gruber and that there is a salary adjustment plan in place before the Personnel Commission to allow her a raise. Mr. DeLuca may be on jury duty next month if he cannot get a deferment.

The next meeting will be on May 20, 1999.

The meeting adjourned at 11:25 a.m.

Respectfully submitted.  
Sandy Webster



*This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.*

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.  
Beecher R. Gray  
Melissa Owens  
Meg Scott Phipps

Robert Roosevelt Reilly Jr.  
Dolores O. Smith  
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>ADMINISTRATION</b>				
Oceaneechi Band of the Saponi Nation v. NC Comm. of Indian Affairs	96 DOA 0006	Smith	12/07/98	13 13 NCR 1075
Carlton L. Coleman v. Administration, Division of Purchase and Contract	98 DOA 1016	Phipps	12/16/98	
Unique Printing, Inc. v. NC A&T, Bobby E. Aldrich, Dir. of Purchasing, NC A&T, and Evelyn H. Gales, Asst. Dir. of Purchasing, NC A&T	98 DOA 1743	Owens	02/15/99	
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>				
Steven Todd McKinnon v. Office of Administrative Hearings	99 OAH 0082	Phipps	03/09/99	
Henry E. Traywick V. Office of Administrative Hearings	99 OAH 0464	Owens	04/22/99	
<b>ALCOHOLIC BEVERAGE CONTROL COMMISSION</b>				
Alcoholic Beverage Control Commission v. Kenneth Jerome	97 ABC 1205	Phipps	07/23/98	
Alcoholic Beverage Control Commission v. Jesse Jacob Joyner, Jr.	97 ABC 1438	Phipps	06/19/98	
Alcoholic Beverage Control Commission v. Trade Oil Company, Inc.	98 ABC 0033	Reilly	08/21/98	
Alcoholic Beverage Control Commission v. Las Palmas of Newton, Inc.	98 ABC 0189	Gray	03/12/99	
Alcoholic Beverage Control Commission v. Pantana Bobs, Inc.	98 ABC 0293	Reilly	09/17/98	13 11 NCR 933
Alcoholic Beverage Control Comm. v. Partnership T/A C & J's Shipwreck	98 ABC 0296	Morrison	08/19/98	
Alcoholic Beverage Control Comm. v. Abdelhakeem Murawch Saleh	98 ABC 0308	Gray	02/16/99	
Alcoholic Beverage Control Comm. v. Harold Webster Hadnott	98 ABC 0324	Smith	12/02/98	
Alcoholic Beverage Control Commission v. Axis Entertainment	98 ABC 0357*	Reilly	07/02/98	
Sokha Huor Ramadneh v. Alcoholic Beverage Control Commission	98 ABC 0382	Smith	06/30/98	13 03 NCR 350
Alcoholic Beverage Control Commission v. Delores Williams Alnaqib	98 ABC 0392	Chess	07/30/98	
Alcoholic Beverage Control Commission v. Axis Entertainment	98 ABC 0401*	Reilly	07/02/98	
Alcoholic Beverage Control Commission v. James Aubrey Stephenson	98 ABC 0494	Chess	09/01/98	
Alcoholic Beverage Control Commission v. Bridgette Dee Williams	98 ABC 0501	Reilly	08/11/98	
Alcoholic Beverage Control Commission v. Robert Lee, Inc.	98 ABC 0518	Gray	08/11/98	
Alcoholic Beverage Control Comm. v. Partnership, T/A Variety Pic Up #21	98 ABC 0714	Morrison	10/09/98	
Tarus Jackson v. Alcoholic Beverage Control Commission	98 ABC 0768	Smith	07/13/98	
Linda Melton Harris v. Alcoholic Beverage Control Commission and City of Charlotte	98 ABC 0820	Owens	02/26/99	
Alcoholic Beverage Control Comm. v. Simple Elegance Restaurants, Inc.	98 ABC 0850	Phipps	10/26/98	
Alcoholic Beverage Control Comm. v. Daniel Hinton Green	98 ABC 0889	Morrison	11/06/98	
Alcoholic Beverage Control Comm. v. Zaheer Ahmad Bajwa	98 ABC 0960	Owens	10/30/98	
Alcoholic Beverage Control Comm. v. Partnership T/A Club Old Times	98 ABC 1071	Owens	01/29/99	
Alcoholic Beverage Control Comm. v. Kendall L. Brumby	98 ABC 1158	Chess	03/05/99	
Alcoholic Beverage Control Comm. v. Jerald Taft Howell, Jr.	98 ABC 1171	Smith	12/03/98	

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Alcoholic Beverage Control Comm v Kendall L. Brumby	98 ABC 1204	Chess	03/03/99	
Alcoholic Beverage Control Commission v Ronald Hardman	98 ABC 1249	Gray	03/29/99	
Alton Oliviera Perry v Alcoholic Beverage Control Commission	98 ABC 1298	Owens	11/23/98	
Nedall Hassan Ahmad Hassan v Alcoholic Beverage Control Comm	98 ABC 1320	Gray	03/18/99	
Alcoholic Beverage Control Comm v Khaled Mohamad Alzer	98 ABC 1321	Gray	02/05/99	
Alcoholic Beverage Control Comm v Abdelhakeem M. Saleh	98 ABC 1341	Morrison	02/12/99	
William Randall Banks v Alcoholic Beverage Control Commission	98 ABC 1355	Gray	02/10/99	
Alcoholic Bev. Control Comm v Partnership T/A Alston's Conv. Store	98 ABC 1374	Chess	02/16/99	
Alcoholic Beverage Control Comm v Fast Fare, Inc.	98 ABC 1398	Gray	02/02/99	
Geo. D. Bishop T/A The Next Level v Alcoholic Bev. Control Comm	98 ABC 1415	Chess	03/24/99	
Alcoholic Beverage Control Comm v Frank Talley	98 ABC 1452	Phipps	02/08/99	
Yahya Ahamed Abdullah Mosed v Alcoholic Beverage Control Comm	98 ABC 1470	Chess	03/05/99	
Alcoholic Beverage Control Comm v Cynthia Van Dassan	98 ABC 1478	Reilly	03/15/99	
Alcoholic Beverage Control Comm v Reyad Atallah Salahadeen T/A Bravo Mini Mart	98 ABC 1624	Gray	03/30/99	
Phillip Allen Powell, Monika K. Powell, Jana Vlasta Kozlik v Doyle D. Alley, ABC Commission, Shon Talley, ALE Agent	99 ABC 0036	Smith	02/23/99	
<b>BOARD OF CONTRACTORS</b>				
Heritage Pointe Builders, Inc. & Patrick Hannon v Bd. of Contractors	97 LBC 0243	Phipps	08/17/98	
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Loretta Battle v. Crime Victims Compensation Commission	97 CPS 0654	Gray	08/10/98	
Cynthia Austin v. Crime Victims Compensation Commission	97 CPS 1499	Reilly	08/12/98	13 05 NCR 533
Marcella Skaggs v. Crime Victims Compensation Commission	98 CPS 0065	Owens	06/05/98	
Talmadge E. McHenry v. Crime Victims Compensation Commission	98 CPS 0116	Gray	06/24/98	
Linda Caldwell Wiggins v. Crime Victims Compensation Commission	98 CPS 0153	Chess	08/27/98	
Kenneth T. Lytle v. Crime Victims Compensation Commission	98 CPS 0176	Reilly	07/06/98	
Shirley Henryhand v. Crime Victims Compensation Commission	98 CPS 0263	Morrison	08/11/98	
Brenda Jean Thomas v. Crime Victims Compensation Commission	98 CPS 0314	Morrison	08/11/98	
Tareyton L. Johnson v. Crime Victims Compensation Commission	98 CPS 0327	Reilly	09/02/98	
Mia Thompson-Clark v. Crime Victims Compensation Commission	98 CPS 0349	Chess	05/14/98	
Godfrey Akenabor v. Crime Victims Compensation Commission	98 CPS 0427	Owens	10/30/98	13 12 NCR 1015
Terry Ramey d/b/a Ramey's Wrecker Svc. v. NC State Highway Patrol	98 CPS 0460	Smith	02/22/99	
Valine H. Thompson v. Crime Victims Compensation Commission	98 CPS 0674	Morrison	11/18/98	
Rufus K. Williams v. Department of Crime Control & Public Safety	98 CPS 0676	Morrison	10/23/98	
Aaron Anouna Pinkney v. Crime Victims Compensation Commission	98 CPS 0699	Chess	03/10/99	
Faye E. Powell v. Crime Victims Compensation Commission	98 CPS 0808	Owens	08/28/98	
Hubert Lee Grant v. Crime Victims Compensation Commission	98 CPS 0839	Morrison	10/21/98	13 10 NCR 853
Mary Elizabeth Troutman v. Crime Victims Compensation Comm	98 CPS 0901	Smith	11/12/98	
Brenda H. Alston v. Crime Victims Compensation Commission	98 CPS 0952	Phipps	11/10/98	
Shirley P. Chen v. Crime Victims Compensation Commission	98 CPS 1015	Phipps	09/17/98	
Lorine Smith v. Crime Victims Compensation Commission	98 CPS 1050	Gray	02/15/99	
Catherine Walker v. Crime Victims Compensation Commission	98 CPS 1129	Gray	02/15/99	
Martha Bumpass v. Crime Victims Compensation Commission	98 CPS 1154	Gray	02/15/99	
Kenneth B. Hall, Sr. v. Crime Victims Compensation Commission	98 CPS 1170	Mann	12/21/98	
Dunnie G. Smith v. Crime Victims Compensation Commission	98 CPS 1201	Reilly	01/04/99	
Felicia House v. Crime Victims Compensation Commission	98 CPS 1273	Smith	01/25/99	
Antonia F. Jones v. Office of Administrative Hearings	98 CPS 1403	Gray	01/29/99	
Leon A. Vereen v. Crime Victims Compensation Commission	98 CPS 1525	Chess	03/03/99	
John D. Cutshaw v. Crime Victims Compensation Commission	98 CPS 1646	Mann	03/25/99	
Roswell Foreman, F. Mac Hodges v. Crime Victims Compensation Comm	98 CPS 1695	Morrison	04/08/99	
<b>ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR</b>				
Thomas A. Truelove, Jr., PE v. Bd./Examiners/Engineers and Surveyors	98 ELS 0047	Mann	11/12/98	13 12 NCR 1035
Kenneth D. Suttles v. Bd./Registration/Engineers and Land Surveyors	98 ELS 0099	Mann	02/09/99	13 18 NCR 1578
<b>ENVIRONMENT AND NATURAL RESOURCES</b>				
Albert C. Wright, Jr. v. Environment, Health, & Natural Resources	96 EHR 0610*17	Gray	01/29/99	
Albert C. Wright, Jr. v. Environment, Health, & Natural Resources	96 EHR 0630*17	Gray	01/29/99	
Ladane Williamson and Odell Decarol Williamson v. DENR	96 EHR 1926	Gray	09/01/98	13 07 NCR 609
Teresa Heftin v. Department of Environment and Natural Resources	97 EHR 0409	Morrison	07/29/98	
Ronald Prater v. Department of Environment and Natural Resources	97 EHR 0451	Reilly	07/02/98	
Alltel Carolina, Inc. v. Dept. of Environment and Natural Resources	97 EHR 0729	Gray	01/28/99	
James F. Smith v. Department of Environment and Natural Resources	97 EHR 1365	Chess	07/17/98	
William Hickman v. Department of Environment and Natural Resources	97 EHR 1388	Gray	11/06/98	13 11 NCR 928
Hickory Alliance v. Department of Environment and Natural Resources and Godfrey Lumber Company, Inc.	97 EHR 1607	Reilly	07/17/98	
John M. Silvia v. Department of Environment and Natural Resources	97 EHR 1646	Chess	06/03/98	
Godfrey Lumber Company, Inc. v. Dept./Environment & Natural Resources and Hickory Alliance	97 EHR 1676	Reilly	07/17/98	
Gregory B. Jackson, Brenda R. Jackson v. Greene Cty. Hlth. Dept., INR	98 EHR 0042	Reilly	07/02/98	



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Robert G. Goff, Sr. v. Department of Environment and Natural Resources	98 EHR 0072*2	Gray	06/25/98	
Scotland Water, Cedar Circle v. Environment and Natural Resources	98 EHR 0236	Smith	06/09/98	
Womble & Company v. Dept. of Environment and Natural Resources	98 EHR 0345	Chess	11/05/98	
Eric Glenn Harrison v. Environment and Natural Resources	98 EHR 0373	Reilly	08/28/98	
Robert G. Goff, Sr. v. Department of Environment and Natural Resources	98 EHR 0448*2	Gray	06/25/98	
Mid South Water Systems, Inc. v. Environment and Natural Resources	98 EHR 0548	Gray	12/02/98	
Wilbur E. Earp v. Department of Environment and Natural Resources	98 EHR 0606	Smith	10/21/98	
Debra Clements v. Department of Environment and Natural Resources	98 EHR 0609	Owens	03/18/99	
Norell Bahrs v. Carteret Cty. Health Dept., DENR	98 EHR 0884	Owens	11/02/98	
Charles Davis v. Department of Environment and Natural Resources	98 EHR 0890	Owens	11/09/98	
J.C. Faw v. Department of Environment and Natural Resources	98 EHR 0957	Gray	12/11/98	
Unicon Concrete, Inc. v. Dept. of Environment and Natural Resources	98 EHR 0990	Mann	01/14/99	
Hugh & Bonnie Mills v. Dept. of Environment and Natural Resources	98 EHR 1090	Phipps	12/08/98	
Janice Spruill v. Department of Environment and Natural Resources	98 EHR 1215	Reilly	01/27/99	
JM's Professional Construction Svcs., Ltd. v. DENR	98 EHR 1217	Owens	12/21/98	
Ronald E. Bennett v. Environment and Natural Resources	98 EHR 1237	Owens	12/29/98	
Don W. Hunt v. Halifax County Health Department	98 EHR 1285	Gray	12/17/98	
Wayne D. Magee v. Department of Environment and Natural Resources	98 EHR 1471	Phipps	02/02/99	
Karen J. Dixon, Myra Jones, Alphonzo Dixon v. Nash Cty. Health Dept.	98 EHR 1475	Reilly	02/10/99	
A&S Construction, Inc. v. Dept. of Environment and Natural Resources	98 EHR 1476	Gray	03/25/99	
Amos Vaughan v. Department of Environment and Natural Resources	98 EHR 1538	Reilly	01/15/99	
Vivian Alderman, Caboose Restaurant v. Environment & Nat. Resources	98 EHR 1690	Reilly	03/08/99	
<b>Division of Air Quality</b>				
Sebring Dev., Patrick Queen/John Amirante v. DENR, Air Quality	98 EHR 0926	Phipps	12/11/98	
John Beard v. DENR, Division of Air Quality	98 EHR 1314	Gray	01/29/99	
Jerry Bryant v. DENR, Division of Air Quality	98 EHR 1416	Wade	03/01/99	
<b>Division of Coastal Management</b>				
Preston Warren v. Division of Coastal Management, Wilmington, NC	98 EHR 0177	Phipps	10/05/98	
Marion T. Noe v. DENR, Division of Coastal Management	98 EHR 0976	Smith	12/02/98	
<b>Division of Environmental Health</b>				
Gerald P. Sigal v. DENR, Division of Environmental Health	98 EHR 0051	Smith	10/02/98	
Ronnie Lee Hamill v. Pitt Cty. Health Dept., Environmental Health Div.	98 EHR 1200	Smith	12/29/98	
Joe Seichlone v. Crave Natural Resources, Div. of Environmental Health	98 EHR 1286	Chess	01/07/99	
Ralph K. Crotts v. Burke County Env. Health Dept., Septic Tank Div.	98 EHR 1334	Owens	01/14/99	
Carl D. Wicker v. Alamance Cty. Health Dept., Env. Health Division	98 EHR 1718	Wade	02/03/99	
<b>Division of Environmental Management</b>				
Save Our Rivers, Inc., et al v. Town of Highlands, EHNHR, Env. Mgmt., William W. Cobey, Jr., Secretary	91 EHR 0377	Gray	07/30/98	
US Dept. of the Interior Nat'l Park Svce. v. Environmental Mgmt. Comm.	98 EHR 0410	Smith	08/20/98	13 06 NCR 578
<b>Division of Marine Fisheries</b>				
Lady LaShanda Melvin Bryant v. EHNHR, Division of Marine Fisheries	97 EHR 1459	Gray	07/20/98	
Gerald Moore, et al v. DENR, Division of Marine Fisheries	98 EHR 0322	Owens	10/08/98	13 09 NCR 797
Kenny Lee Tillett v. DENR, Division of Marine Fisheries	99 EHR 0336	Owens	04/22/99	
<b>Division of Solid Waste Management</b>				
Steve Aldridge, et al v. DENR, Division of Solid Waste Management	98 EHR 0665	Chess	09/09/98	13 07 NCR 617
<b>Division of Water Quality</b>				
Raymond L. Martin v. DENR, Division of Water Quality	98 EHR 0590	Gray	09/21/98	
Riverhills, Inc. and W.E. Dansey, Jr. v. DENR, Division of Water Quality	98 EHR 0703	Gray	03/22/99	13 20 NCR 1756
Worsley Oil Companies, Inc. v. DENR, DWQ, Groundwater Section	98 EHR 0735	Chess	08/24/98	
Upchurch, Inc. v. DENR, Division of Water Quality	98 EHR 0776*24	Reilly	03/19/99	13 20 NCR 1762
and The Sierra Club and Dogwood Alliance				
NC Forestry Association v. DENR, Division of Water Quality	98 EHR 0777*24	Reilly	03/19/99	13 20 NCR 1762
and The Sierra Club and Dogwood Alliance				
Silver Bullet, Inc. v. DENR, Division of Water Quality	98 EHR 0931	Chess	08/20/98	
<b>HEALTH AND HUMAN SERVICES</b>				
Stanley C. Ochulo v. Off./Administrative Hearings, Mr. R. Marcus Lodge	98 DHR 0021	Reilly	06/24/98	
Oliver C. Johnson, Hazel T. Johnson v. Health and Human Services	98 DHR 0090	Gray	07/08/98	
Louise Streater v. Health and Human Services	98 DHR 0196	Gray	06/03/98	
Richard E. Lawrence, Rebecca A. Lawrence v. Health and Human Services	98 DHR 0209	Phipps	07/15/98	
John David Brinson v. Department of Human Resources	98 DHR 0369	Owens	08/17/98	
Stephanie Wade v. Department of Health and Human Services	98 DHR 0666	Reilly	08/19/98	
Carolyn L. Freeman v. Department of Human Resources	98 DHR 0721	Gray	08/05/98	
Otis L. Mack, Jr. v. Office of Administrative Hearings	98 DHR 0729	Phipps	09/09/98	
Christopher Germano, Lee Germano v. Department of Health	98 DHR 0780	Owens	07/28/98	

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Carol and Conrad Kunkel v Department of Human Services	98 DHR 1047	Smith	02/25/99	
Donald Wayne Perry v Office of Emergency Medical Services	98 DHR 1097	Smith	01/13/99	
E. Jean Woods v EDS - Medicaid	98 DHR 1118	Gray	10/26/98	
Sonia Schaefer Jolly v Village Care King, Autumn Care, DHHS	98 DHR 1134	Chess	01/07/99	
Sandra Nelson Molina v Department of Health & Human Services	98 DHR 1243	Chess	01/21/99	
Bernadette Anderson v Department of Health & Human Services	98 DHR 1257	Morrison	12/11/98	
Cheryl Lynn Staton v Department of Health & Human Services	98 DHR 1259	Smith	11/30/98	
Mary Barrier v Administrative Hearing	98 DHR 1287	Chess	11/19/98	
Jeffrey M. Holland and Capitol Hill Creative Consulting v Dept of the Secretary of State	98 DHR 1288	Chess	04/06/99	
James Michael Wallace v Department of Human Resources	98 DHR 1340	Gray	12/21/98	
Barbara Jump v Department of Human Services	98 DHR 1350	Reilly	01/20/99	
Keith Warren Kendall v Nurse Aide Registry and DHHS	98 DHR 1368	Reilly	01/29/99	
Wilson Memorial Hospital v Department of Health & Human Services	98 DHR 1423	Reilly	03/08/99	
Deborah Pelly v Department of Health & Human Services	98 DHR 1565	Reilly	04/14/99	13.22 NCR 0000
Brandy Shea Minton v Markus Lodge, General Counsel	98 DHR 1595	Smith	01/06/99	
Reeva Oliver v Board of Nursing, Nursing Asst Registry	98 DHR 1604	Reilly	02/09/99	
Jackie E. Ratliff v Department of Health & Human Services	98 DHR 1689	Reilly	02/01/99	
Blue Line Promotions, Inc v Dept of the Secretary of State	98 DHR 1795	Chess	03/11/99	
Police Protective Fund v Dept of the Secretary of State	99 DHR 0001	Chess	03/11/99	
Community Funding Company v Dept of the Secretary of State	99 DHR 0002	Chess	03/11/99	
Ilyas Mahmood v Department of Health & Human Services	99 DHR 0108	Chess	03/03/99	
<b>Division of Child Development</b>				
Dulatown Presbyterian Children's Ctr v DHHS, Child Development	98 DHR 0654	Gray	08/06/98	
Cookie's Day Care Home, Wanza W. Garolds v DHHS, Child Dev	98 DHR 0946	Gray	01/13/99	
Cassandra Myers v Division of Child Development	98 DHR 0948	Owens	09/03/98	
Theresa McCormick v DHHS, Division of Child Development	98 DHR 0989	Smith	12/29/98	
Dulatown Presbyterian Children Ctr v DHR, Child Development	98 DHR 1112	Morrison	10/16/98	
Dora's Child Development Center v Mecklenburg Cty DSS, and DHR	98 DHR 1184	Phipps	09/25/98	
Victory Day Care & Learning Ctr, Joe Walters v DHHS, Child Dev	98 DHR 1533	Smith	01/25/99	
Four-County Community Services, Inc v Human Resources, Child Dev	98 DHR 1534	Smith	01/25/99	
Kandy Kane Day School, Inc v DHHS, Div of Child Development	98 DHR 1668	Reilly	02/24/99	
Phoo Bear's Day Care, Sabrina Davis v Div of Child Development	99 DHR 0008	Chess	04/13/99	
T/A Appletree Day Care, Inc, Carolyn J. Driggers v DHHS, Division of Child Development	99 DHR 0058	Morrison	04/12/99	
Miriam E. Cowan (Lawrie) v Health & Human Svcs, Child Development	99 DHR 0182	Owens	03/16/99	
<b>Division of Facility Services</b>				
Pearlie W. Lawson v DHHS, Facility Svcs, Health Care Personnel Reg	97 DHR 1034	Becton	07/30/98	
Annie K. Morgan v Health & Human Services, Facility Services	97 DHR 1046*	Phipps	07/23/98	
Mooresville Hospital Mgmt Associates, Inc d/b/a Lake Norman Regional Medical Center v DHR, Facility Services, Certificate of Need Section and Autumn Corporation and McKinley V. Jurney	97 DHR 1209	Reilly	06/23/98	
Warren Moore & Catherine Moore v DHR, Div of Facility Services	97 DHR 1279	Mann	09/08/98	
Constellation Health Services, Inc and Constellation Senior Services, Inc v DHR, Facility Services, Group Care Licensure Section and Diversified Health Group, L.L.C. and The Innovative Health Group, Inc	97 DHR 1529	Gray	06/24/98	
Dialysis Care of NC, L.L.C. d/b/a Dialysis Care of Rowan County v DHR, Division of Facility Services, Certificate of Need Section v Biomedical Applications of NC, Inc d/b/a BMA of Kannapolis d/b/a Metrolina Kidney Center of Kannapolis (Lessee) and Metrolina Nephrology Associates, P.A. (Lessor)	97 DHR 1588	Phipps	08/31/98	
Robin Annette Reavis v Health and Human Svcs, Div of Facility Svcs	97 DHR 1672	Reilly	08/12/98	
Jennifer Blofeld v DHHS, Facility Svcs, Health Care Personnel Registry	98 DHR 0096	Gray	08/21/98	
Sunlite Retirement Home, Winnie Jane Johnson v DHR, Facility Services	98 DHR 0124	Phipps	06/11/98	
Helen Shokoti v Health and Human Services, Div of Facility Services	98 DHR 0173	Chess	08/26/98	
Ann Davis Rest Home v Group Care Licensure Section	98 DHR 0197	Phipps	06/23/98	
Diane Lingard v DHR, Facility Svcs, Health Care Personnel Reg	98 DHR 0214	Becton	06/22/98	
Kimberly Annette Smith Hull v DHHS, Division of Facility Services	98 DHR 0239	Phipps	06/23/98	
Living Centers-Southeast, Inc, Lutheran Retirement Center-Wilmington, Inc, and New Hanover Health Care Center, L.L.C v DHHS, Div of Facility Services, Certificate of Need Section, and	98 DHR 0244*15	Phipps	11/24/98	13 12 NCR 1018
Devin Partnership and Devin Health Care Associates, L.L.C, Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc, Lutheran Retirement Center-Wilmington Inc, and New Hanover Health Care Center L.L.C				
Living Centers-Southeast, Inc, Lutheran Retirement Center-Wilmington, Inc, and New Hanover Health Care Center, L.L.C v DHHS, Div of Facility Services, Certificate of Need Section, and	98 DHR 0245*15	Phipps	11/24/98	13 12 NCR 1018



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Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.				
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v. DHHS, Div. of Facility Services, Certificate of Need Section, and	98 DHR 0247*15	Phipps	11/24/98	13 12 NCR 1018
Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.				
Rose Marie Spencer v. DHHS, Division of Facility Services	98 DHR 0279	Chess	01/07/99	
Deborah Ann Holt v. DHHS, Division of Facility Services	98 DHR 0348	Phipps	06/22/98	
Columbia Direct Mktg. Corp. v. DHHS, Facility Svcs., Soltn. Lic. Br.	98 DHR 0394	Morrison	12/31/98	
Terri Michelle Tyler v. Health & Human Svcs., Div. of Facility Services	98 DHR 0458	Gray	08/21/98	
Doris Jones Holmes v. DHHS, Facility Svcs., Health Care Personnel Reg.	98 DHR 0463	Gray	08/21/98	
Annie K. Morgan v. Health & Human Services, Facility Services	98 DHR 0496*	Phipps	07/23/98	
Shirley Bowling v. DHHS, Facility Services, Health Care Personnel Reg.	98 DHR 0547	Gray	11/09/98	
Johnnie E. Williams v. DHHS, Division of Facility Services	98 DHR 0639	Reilly	07/02/98	
Bio-Medical Applications of Lumberton, Inc. d/b/a BMA of Lumberton, d/b/a Lumberton Dialysis Unit (Lessee) and Webb-Lohavichan Rentals (Lessor) v. DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0700*23	Chess	02/04/99	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC Bio-Medical Applications of NC, Inc. d/b/a Johnston Dialysis Ctr. v. DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0701*20	Reilly	02/01/99	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC Christy Jeton Hall v. DHHS, Division of Facility Services	98 DHR 0706	Gray	10/12/98	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC v. DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0718*23	Chess	02/04/99	
Bio-Medical Applications of Lumberton, Inc. d/b/a BMA of Lumberton, d/b/a Lumberton Dialysis Unit (Lessee) and Webb-Lohavichan Rentals (Lessor) Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC v. DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0719*20	Reilly	02/01/99	
Bio-Medical Applications of NC, Inc. d/b/a Johnston Dialysis Ctr. Judith May Gale v. DHHS, Division of Facility Services	98 DHR 0739	Owens	12/16/98	
Evangeline McBride v. DHR, Division of Facility Services	98 DHR 0767	Chess	03/04/99	
Latonia Denise Thomas v. DHHS, Division of Facility Services	98 DHR 0809	Gray	10/23/98	
Tracey Deirde Galloway v. DHHS, Facility Svcs., Health Care Per. Reg.	98 DHR 0824	Gray	09/24/98	
Afi Teawanda Byrd v. DHHS, Division of Facility Services	98 DHR 0838	Reilly	12/29/98	
Happy Dan's Home, Gladys Cooke v. Facility Svcs., Group Care Lic. Sect.	98 DHR 0885	Owens	11/19/98	
Wanda Best v. Division of Facility Services, DHHS	98 DHR 0936	Chess	01/11/99	
Tracey Yelverton v. DHHS, Division of Facility Services	98 DHR 0955	Owens	01/04/99	
Rose Marie Hadley v. DHHS, Division of Facility Services	98 DHR 0970	Smith	10/08/98	
Robena Juanita Jones v. DHHS, Division of Facility Services	98 DHR 1089	Gray	12/29/98	
Mona Lisa Lucas v. DHHS, Division of Facility Services	98 DHR 1110	Gray	01/04/99	
Edna Weaver Sawyer v. DHHS, Division of Facility Services	98 DHR 1111	Gray	01/04/99	
Linda Estes Richardson v. DHHS, Division of Facility Services	98 DHR 1131	Chess	01/07/99	
Shirley L. Smith, a/k/a Shirley Lee Turner v. DHHS, Facility Services	98 DHR 1132	Chess	01/07/99	
Jeanette Crandal Williams v. Health & Human Services, Facility Services	98 DHR 1133	Morrison	02/18/99	
Felicia Ozoms v. DHHS, Division of Facility Services	98 DHR 1173	Gray	01/20/99	
Carolyn Grant v. Health & Human Services, Facility Services	98 DHR 1264	Owens	02/15/99	
Bridgette Taylor v. Nurse Aide I Program, DFS	98 DHR 1283	Mann	12/14/98	
Jamie Jarnigan Oaks v. DHHS, Division of Facility Services	98 DHR 1284	Smith	01/12/99	
Barbara Davis v. DHHS, Division of Facility Services	98 DHR 1317	Gray	12/21/98	
Jamila Adukeje Alghali v. Health & Human Services, Facility Services	98 DHR 1326	Wade	02/16/99	
Dorothy Rea Fisherv. Health & Human Services, Facility Services	98 DHR 1349	Wade	03/02/99	
April F. Matthews v. Health & Human Services, Facility Services	98 DHR 1691	Owens	03/01/99	
Virgie Harshaw Stinson v. Health Care Personnel Registry	98 DHR 1692	Gray	02/10/99	
Valerie Ann Hernandez v. DHHS, Division of Facility Services	99 DHR 0088	Phipps	03/16/99	
Wanda Ann Cribb v. DHHS, Division of Facility Services	99 DHR 0109	Morrison	03/26/99	
Bertha Stinson Hall v. DHHS, Division of Facility Services	99 DHR 0153	Morrison	04/16/99	
<b>Division of Medical Assistance</b>				
Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas Medical Ctr., and Harry Mahannah, M.D. v. DHHS, Division of Medical Assistance	97 DHR 0621	Smith	07/08/98	
Isaiah Smith, Jr., by/through his Guardian, Lawrence E. Thompson, III v. DHHS, Division of Medical Assistance	98 DHR 0273	Gray	12/07/98	
William M. Bell, Jr. v. DHHS, Medical Assistance, Third Party Rec. Sec.	98 DHR 0979	Mann	01/13/99	13 16 NCR 1366
Alic F. Schneider, Julia R. Hammonds v. DHHS, Medical Assistance	98 DHR 0994	Morrison	10/29/98	

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Candace Ewanda Newsome v. Tarheel Consultant, Cherry Hospital, Sunrise Health Care Center (Div of Medical Assistance)	99 DHR 0013	Wade	03/30/99	
<i>Division of Social Services</i>				
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Robert H. Black v. Guilford County Child Support Enforcement	96 CRA 1548	Mann	10/09/98	
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Robert Alan Davis v. Department of Human Resources	96 CRA 1781*	Phipps	08/20/98	
Michael W. White v. Department of Human Resources	96 CRA 1784	Gray	09/25/98	
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Mary Putnam Avery v. DSS, Durham County Child Support Enforcement	96 CRA 1849	Morrison	09/01/98	
Anthony B. Griffin v. Department of Human Resources	96 CRA 1855	Gray	12/18/98	
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Herbert Leon Sellers v. Department of Human Resources	96 CRA 1932	Smith	11/06/98	
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David W. Davis v. Department of Human Resources	96 CRA 1976	Smith	11/06/98	
Dale W. Hutchinson v. Department of Human Resources	96 CRA 1981	Mann	08/26/98	
Kelvin Cherry v. Department of Human Resources	97 CRA 0026	Gray	12/14/98	
Joe A. Lynch v. Department of Human Resources	97 CRA 0045	Phipps	10/09/98	
Gary W. Wampler v. Department of Human Resources	97 CRA 0187	Smith	12/15/98	
Kenneth Bryan Haynes v. Department of Human Resources	97 CRA 0444	Mann	02/19/99	
Kenneth Eugene Scott v. Department of Human Resources	97 CRA 1232	Chess	11/06/98	
Mark Owens Frink v. Department of Human Resources	97 CRA 1524	Mann	10/09/98	
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Clifton Pierce v. Department of Health & Human Services	98 CRA 1430	Smith	01/11/99	
Dennis Lee McNeill v. Department of Human Resources	96 CSE 1305	Gray	06/22/98	
Byron O. Ashby II v. Department of Human Resources	96 CSE 1435	Mann	07/15/98	
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Larry S. Robinson v. Child Support Enforcement Agency	96 CSE 1848	Gray	11/05/98	
Darryl C. Thompson v. Department of Health & Human Services	96 CSE 1854* <sup>13</sup>	Chess	09/01/98	
Darryl C. Thompson v. Department of Health & Human Services	96 CSE 1902* <sup>13</sup>	Chess	09/01/98	
Michael J. Burgess v. Department of Human Resources	96 CSE 1989	Mann	12/10/98	
Michael Anthony Hill v. Department of Human Resources	96 CSE 2028	Mann	08/26/98	
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Lawrence Wilkes v. Department of Human Resources	97 CSE 1419	Gray	11/17/98	
Alton D. Bagley v. Department of Human Resources	97 CSE 1424	Chess	06/02/98	
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Darryl Simpkins v. Department of Health & Human Services	97 CSE 1436	Chess	08/11/98	
Anthony Montgomery v. Department of Human Resources	97 CSE 1442	Phipps	06/17/98	
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Terry Letterman v. Department of Human Resources	97 CSE 1492	Smith	06/22/98	
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Michael William Fisher v. Department of Human Resources	98 CSE 0198	Mann	02/19/99	



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Renardo Jenkins v. Department of Human Resources	98 CSE 0310	Smith	06/23/98	
Anthony Love v. Department of Human Resources	98 CSE 0312	Phipps	06/23/98	
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Eddie R. Steward v. Department of Health & Human Services	98 CSE 0320	Morrison	02/02/99	
Steven Kent Gold v. Department of Human Resources	98 CSE 0333	Morrison	07/01/98	
Leroy J. Poole v. Department of Human Resources	98 CSE 0375	Reilly	07/02/98	
Hoyal A. McLean v. Department of Health & Human Services	98 CSE 0420	Smith	07/29/98	
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Terry M. Cable v. Department of Human Resources	98 CSE 0433	Phipps	12/09/98	
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Tabatha D. Pate v. Department of Human Resources	98 CSE 0556	Becton	06/23/98	
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John L. Bullard v. Department of Human Resources	98 CSE 0569	Morrison	08/06/98	
Frank A. Cotton v. Department of Human Resources	98 CSE 0578	Gray	10/08/98	
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Michael A. Looper v. Department of Health & Human Services	98 CSE 0783	Chess	09/08/98	
Kenneth E. Strickland v. Department of Health & Human Services	98 CSE 0817	Mann	09/08/98	
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Mark Steven Goodwin v. Department of Human Resources	98 CSE 1510	Gray	02/10/99	
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James R. Upchurch v. Department of Health & Human Services	99 CSE 0103	Gray	03/26/99	
Patricia Chambers v. Department of Human Resources	96 DCS 1944	Mann	01/26/99	
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Carla P. Robinson v. Department of Human Resources	97 DCS 0124	Reilly	11/10/98	
Rachel D. Farmer v. Department of Health & Human Services	97 DCS 0251	Phipps	08/31/98	
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Barbara Fanta-Blandine v. Department of Human Resources	97 DCS 1486	Morrison	06/22/98	
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Terita M. Sharpe v. Department of Human Resources	98 DCS 0468	Morrison	06/09/98	
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Melanie D. Nickerson v. Department of Health & Human Services	98 DCS 0593	Gray	01/19/99	
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Linda Michelle Jennings v. Department of Health & Human Services	99 DCS 0033	Gray	03/18/99	
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Mohamad I. Rahman v. DHHS, Womens/Childrens Hlth, Nutr Svcs Sect	98 DHR 0923	Chess	11/06/98	
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<b>Alarm Systems Licensing Board</b>				
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<b>Auctioneer Licensing Board</b>				
Wiley R. Tyndall v. Auctioneer Licensing Board	97 DOJ 1236	Phipps	07/24/98	
Russ J. Scherrer v. Auctioneer Licensing Board	98 DOJ 0589	Owens	03/08/99	
Gavin Haviy Abadi v. Auctioneer Licensing Board	98 DOJ 1060	Smith	10/21/98	
Marty C. McDaniel v. Auctioneer Licensing Board	98 DOJ 1527	Owens	03/29/99	
<b>Education and Training Standards Division</b>				
Thomas Dwayne Brown v. Sheriffs' Education & Training Stds Comm	97 DOJ 1319	Phipps	07/29/98	
Kenneth Joseph Jackson v. Sheriffs' Education & Training Stds Comm	97 DOJ 1578*	Gray	08/20/98	
Odus Fitzgerald Darden v. Sheriffs' Education & Training Standards Comm	97 DOJ 1698	Reilly	06/12/98	
Hoyle Kenneth Wise, Jr. v. Sheriffs' Education & Training Stds Comm	98 DOJ 0022	Smith	07/14/98	
Kenneth Earl Brantley v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 0046	Gray	11/04/98	13 11 NCR 935
Hearl Oxendine v. Criminal Justice Education & Training Stds Comm	98 DOJ 0121	Smith	06/22/98	
James Farrell Roberts v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 0147	Smith	07/16/98	
Phillip Keith McPherson v. Sheriffs' Ed. & Training Standards Comm	98 DOJ 0388	Reilly	07/24/98	
Gary Alan Williams v. Sheriffs' Ed. & Training Standards Comm	98 DOJ 0389	Phipps	04/05/99	
Daryl LaMar Bryant v. Sheriffs' Education & Training Standards Comm	98 DOJ 0430	Gray	07/21/98	
Harold F. Esters v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0431	Gray	08/21/98	
William Scott Key v. Sheriffs' Education & Training Standards Comm	98 DOJ 0432	Becton	06/08/98	
Cecil W. Duke, Jr. v. Criminal Justice Education & Training Stds Comm	98 DOJ 0479	Chess	10/07/98	
Marvin Sheriel Clark v. Department of Correction and	98 DOJ 0491*19	Phipps	01/08/99	
Marvin S. Clark v. Criminal Justice Ed. & Training Stds Comm				
Amado Martinez v. Criminal Justice Education & Training Stds Comm	98 DOJ 0526	Morrison	09/09/98	
Johnny Wayne Wills v. Criminal Justice Education & Training Stds Comm	98 DOJ 0574	Chess	07/30/98	
James E. Ellerhe v. Sheriffs' Education & Training Standards Comm	98 DOJ 0600	Morrison	08/07/98	
Paul Harvey Taylor v. DOJ, Criminal Justice Ed. & Training Stds Comm	98 DOJ 0841	Phipps	09/16/98	
Kenneth Joseph Jackson v. Sheriffs' Ed. & Training Standards Comm	98 DOJ 0847*	Gray	08/20/98	
Kelly Suzanne Mayberry v. Sheriffs' Education & Training Stds Comm	98 DOJ 0875	Chess	11/13/98	
Sharon Day Herring v. Sheriffs' Education & Training Stds Comm	98 DOJ 0877	Mann	12/30/98	
Robert Ryan Hardison v. Sheriffs' Education & Training Standards Comm	98 DOJ 0878	Phipps	09/08/98	
Tracey Jerome Clark v. Sheriffs' Education & Training Standards Comm	98 DOJ 0879	Owens	08/31/98	
Berry Bernard Baker v. Criminal Justice Ed. & Training Standards Comm	98 DOJ 0907	Mann	01/15/99	
Evelyn D. Brown v. Sheriffs' Education & Training Stds Comm	98 DOJ 0922	Mann	12/22/98	
Kevin Lamar Dorsey v. Sheriffs' Education & Training Standards Comm	98 DOJ 0930	Phipps	09/22/98	
Richard Alan McEntire v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 0982	Owens	03/18/99	
Willoughby McCormick, Jr. v. Sheriffs' Ed. & Training Standards Comm	98 DOJ 1007	Reilly	10/13/98	
Herman Lee Colvin v. Sheriffs' Ed. & Training Standards Comm	98 DOJ 1008	Smith	01/07/99	
William Edward Smith, Jr. v. Criminal Justice Ed. & Trng Stds Comm	98 DOJ 1057	Chess	03/26/99	
Ronald Hosea Hodge v. Criminal Justice Ed. & Training Standards Comm	98 DOJ 1058	Smith	01/08/99	
Melvin Garfield Smith v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 1059	Gray	01/04/99	
Paul Harvey Taylor v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 1125	Phipps	12/30/98	
Teresa Shawndell Hunt v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 1308	Gray	02/10/99	
Michael Patrick Minter v. Criminal Justice Ed. & Training Stds Comm	98 DOJ 1309	Chess	03/24/99	

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Phillip K. McPherson v. Sheriff's Education & Training Standards Comm	98 DOJ 1360	Gray	01/28/99	
Leonard Patterson Limer v. Sheriff's Education & Training Stds. Comm	98 DOJ 1361	Gray	03/16/99	
Frankie Arlene Fisher v. Sheriff's Ed. & Training Standards Comm	98 DOJ 1421	Chess	01/06/99	
Floyd Lee Hatch v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1441	Reilly	02/10/99	
Arthur Bivens v. Sheriff's Ed. & Training Standards Commission	98 DOJ 1462	Gray	03/25/99	
Paul Dennis Plante v. Sheriff's Ed. & Training Standards Commission	98 DOJ 1463	Wade	04/07/99	
Benjamin Albert Williams v. Criminal Justice Ed. & Tr. Stds. Comm	98 DOJ 1491	Owens	04/06/99	
Carroll Edwin Swain, Jr. v. Criminal Justice Ed. & Training Stds. Comm	98 DOJ 1502	Morrison	03/22/99	
John D. Osborne v. Sheriff's Education & Training Standards Comm	98 DOJ 1529	Gray	03/16/99	
Tarrie L. Reid v. Criminal Justice Ed. & Training Stds. Comm	98 DOJ 1623	Chess	01/13/99	
James L. Terry v. Sheriff's Ed. & Training Standards Commission	98 DOJ 1791	Wade	04/22/99	
<b>Private Protective Services Board</b>				
Wayne Carey v. Private Protective Services Board	98 DOJ 0619	Owens	11/19/98	
Claims Verification, Inc. v. Private Protective Services Board	98 DOJ 0848	Smith	08/04/98	
Walter R. Shirer v. Private Protective Services Board	98 DOJ 0937	Morrison	09/17/98	
Stacey L. Williams v. Private Protective Services Board	98 DOJ 0938	Morrison	08/18/98	
Eugene Norman Garrett v. Private Protective Services Board	98 DOJ 0939	Morrison	08/18/98	
G. Russell Smith v. Private Protective Services Board	98 DOJ 0940	Owens	11/19/98	
David C. Brisson v. Private Protective Services Board	98 DOJ 0941	Owens	11/19/98	
Danny Charles Garrett v. Private Protective Services Board	98 DOJ 1081	Morrison	09/17/98	
David C. Truesdale v. Private Protective Services Board	98 DOJ 1082	Morrison	12/10/98	
Dennis Ray Hyatt v. Private Protective Services Board	98 DOJ 1139	Owens	11/19/98	
Alfred D. Malson v. Private Protective Services Board	98 DOJ 1141	Morrison	09/29/98	
Rodney Hamilton Marsh v. Private Protective Services Board	98 DOJ 1142	Owens	11/04/98	
Melvin Eugene Davis v. Private Protective Services Board	98 DOJ 1145	Morrison	09/22/98	
Glen Leon Fitchette v. Private Protective Services Board	98 DOJ 1307	Owens	11/03/98	
Arvin Itwaru v. Private Protective Services Board	98 DOJ 1493	Morrison	12/10/98	
William Pope v. Private Protective Services Board	98 DOJ 1748	Morrison	02/09/99	
<b>LABOR</b>				
Hildreth Mechanical & Maintenance v. Labor/Labor Standards	98 DOL 0903	Mann	11/04/98	
Labor World, Eric Feinstein v. Labor, Harry E. Payne, Jr.	98 DOL 1256	Gray	11/05/98	
<b>BOARD OF LICENSED PROFESSIONAL COUNSELORS</b>				
Carolyn I. Hicks v. Board of Licensed Professional Counselors	98 LPC 1730	Chess	03/05/99	
<b>BOARD OF MEDICAL EXAMINERS</b>				
Joe D. Crawford, M.D. v. Medical Bd. of NC Bd. of Medical Examiners	98 BME 0870	Owens	07/30/98	
<b>PUBLIC INSTRUCTION</b>				
Linda & Danny Howard for Nikki Howard v. Lenoir Cty. Bd. of Ed	97 EDC 1047	Gray	10/30/98	
George & Ruth Sinclair for Adam Sinclair v. Wake County Schools (Special Education Services)	97 EDC 1233	Phipps	08/11/98	
Nicholas Eirschele, By and Through His Parents, Charles & Kathleen Eirschele v. Craven County Board of Education	97 EDC 1234	Phipps	07/16/98	
Dewitt Brinson & Elizabeth Brinson v. Craven County Board of Education	97 EDC 1298	Phipps	10/26/98	
Gene Edward Lloyd v. Department of Public Instruction	98 EDC 0110	Reilly	09/10/98	
Joseph Hughey Barringer v. Dr. Michael Ward, Dept. of Public Instruction	98 EDC 0127	Mann	01/14/99	
Mrs. Phyllis Y. Moore v. Cumberland County Schools	98 EDC 0305	Gray	08/05/98	
Laney Bruce Harrill v. State Board of Education	98 EDC 0350	Smith	09/17/98	
L.K. on behalf of her son, J.H., as well as on her own behalf v. St. Bd./Ed	98 EDC 0370	Smith	10/14/98	
Jennifer VonHoffman v. Charlotte-Mecklenburg Board of Education	98 EDC 0411	Chess	04/15/99	
Joseph J. Sarrerro v. Department of Public Instruction	98 EDC 0459	Owens	08/10/98	
M.E. and her husband, P.E., individually, and on behalf of their son, C.E. v. Bd. of Ed. for Buncombe Cty. a/k/a Buncombe Cty. Public Schools, et al	98 EDC 0566	Gray	10/01/98	
Sandra Cherry v. NC Dept. of Public Instructions, Licensure Section	98 EDC 1501	Owens	04/16/99	
<b>STATE BAR</b>				
Linda R. Sharp v. North Carolina State Bar	98 BAR 1344	Morrison	11/09/98	
Reginald L. Frazier v. NC St. Bar Disc. Hearing Comm., NC St. Bar Cncl	99 BAR 0204	Owens	03/08/99	
<b>STATE PERSONNEL</b>				
<b>Department of Administration</b>				
David Grigsby v. NC Commission of Indian Affairs	98 OSP 0428	Morrison	12/14/98	
<b>Department of Agriculture</b>				
William T. McClelland v. Department of Agriculture	98 OSP 1405*21	Reilly	02/17/99	
William T. McClelland v. Department of Agriculture	98 OSP 1536*21	Reilly	02/17/99	
<b>Community Colleges</b>				
Dr. William R. Strickland v. NC Community College System	98 OSP 1305	Gray	12/07/98	



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<b>Department of Correction</b>				
Annie D. Dizon v. NC Correctional (Inst.) Center for Women	97 OSP 0166	Mann	11/06/98	
Terry T. Rees v. Department of Correction	97 OSP 1671*4	Smith	06/30/98	
Mohammad H. Baloch, M.D. v. Department of Correction	98 OSP 0014	Gray	09/01/98	
Leon Owens v. Department of Correction	98 OSP 0050	Becton	07/10/98	
Terry T. Rees v. Department of Correction	98 OSP 0119*4	Smith	06/30/98	
Michael A. Smith v. Department of Correction 98 OSP 0231*9	Reilly	08/11/98		
Michael A. Smith v. Department of Correction 98 OSP 0317*9	Reilly	08/11/98		
Jayne D. Bledsoe v. Correction, Div. of Adult Probation & Parole	98 OSP 0543	Owens	07/29/98	
David Spencer Norris v. Correction, Div. of Adult Probation & Parole	98 OSP 0572	Gray	12/18/98	
Carl W. Craven, II v. Pender Correctional Institution	98 OSP 0633	Smith	06/25/98	
Ervin Shaw v. Martin Horner, Asst. Super., Corr., Sandy Ridge Corr. Ctr.	98 OSP 0671	Phipps	10/09/98	
Joseph Szilagyi v. Department of Correction	98 OSP 0757	Owens	10/05/98	
Dennis S. Harrell v. Dept. of Correction, Caledonia Correctional Institute	98 OSP 0846	Morrison	09/08/98	
Tommy L. Hancock v. Department of Correction	98 OSP 0881	Owens	08/04/98	
Tommy L. Hancock v. Department of Correction	98 OSP 0882	Owens	10/09/98	
Elaine Jackson v. Department of Correction	98 OSP 0883	Phipps	03/17/99	
Bertha Darden v. Raymond Smith & Dept. of Correction, Central Prison	98 OSP 0905	Smith	09/25/98	
Robert C. Lowder v. Brown Creek Correctional Institution	98 OSP 0984	Owens	12/02/98	
Ruth Moseley v. Department of Correction	98 OSP 1092	Gray	10/07/98	
Lamont M. Burt v. Department of Correction	98 OSP 1115	Smith	10/06/98	
Mark Murphy v. Correction, Div. of Adult Probation & Parole	98 OSP 1155	Mann	12/21/98	
Leo Powell v. Harnett Correctional Institute, Department of Correction	98 OSP 1175	Owens	11/25/98	
Amos Boone v. Department of Correction	98 OSP 1188	Smith	12/15/98	
Nona W. Hubbard v. DOC, Division of Community Corrections	98 OSP 1214	Owens	10/27/98	
Robert R. Stovall v. Department of Correction 98 OSP 1282	Phipps	10/26/98		
Harold Keith Hamm v. Dept. of Correction Enterprise/Personnel Off.	98 OSP 1409	Gray	12/16/98	
Joseph A. Harrell v. Correction, Div. of Adult Probation & Parole	98 OSP 1411	Gray	12/11/98	
Bunny M. Poinexter v. Department of Correction, McCain Hospital	98 OSP 1566	Smith	02/09/99	
Deborah Griffin v. Warren Correctional Institution, Mr. Smiley	98 OSP 1583	Chess	01/07/99	
Lonnice F. McCaskill, III v. Department of Correction	98 OSP 1597	Morrison	02/16/99	
Diana A. Freeman v. Department of Correction	98 OSP 1688	Gray	03/31/99	
Bryant K. Peterson v. Todd Pinion, Piedmont Corr. Inst., Asst. Sup.	98 OSP 1787	Owens	02/15/99	
DeCarlos Stanley v. Department of Correction 99 OSP 0027	Morrison	04/16/99		
Sandra Ketchie v. Department of Correction	99 OSP 0041	Phipps	04/09/99	
Charlotte Clarke v. Department of Correction	99 OSP 0143	Owens	03/16/99	
<b>Crime Control and Public Safety</b>				
Roger D. Davis v. Crime Control & Public Safety, St. Hwy Patrol	97 OSP 0617	Chess	05/27/98	
Albert R. Little v. Crime Control & Public Safety, Info. Sys. Specialists	97 OSP 1157	Morrison	07/22/98	
Charles A. Lindquist v. Crime Control & Public Safety, NC Hwy Patrol	98 OSP 0170	Gray	01/22/99	13 18 NCR 1592
Charles A. Lindquist v. Crime Control & Public Safety, NC Hwy Patrol	98 OSP 0341	Gray	01/22/99	
Charles L. Garner v. Crime Control & Public Safety, NC St. Hwy Patrol	98 OSP 0467	Morrison	03/12/99	
Terry L. Putman v. Crime Control & Public Safety, State Hwy Patrol	98 OSP 0489	Morrison	02/26/99	
Thomas E. Carlton v. Crime Control & Public Safety, St. Hwy Patrol	98 OSP 0919	Phipps	09/24/98	
<b>Eastern North Carolina School for the Deaf</b>				
Cathy A. Lancaster v. Eastern North Carolina School for the Deaf	98 OSP 0482	Gray	11/30/98	
<b>Employment Security Commission</b>				
Jane B. Bolin and Arlene G. Sellers v. Employment Security Commission	97 OSP 1122*1	Chess	06/02/98	
Jane B. Bolin and Arlene G. Sellers v. Employment Security Commission	97 OSP 1134*1	Chess	06/02/98	
<b>Environment and Natural Resources</b>				
Charles Anthony Bruce v. ENR, Division of Parks and Recreation	98 OSP 0240	Reilly	06/08/98	
Patrick K. W. Howle v. Department of Environment and Natural Resources	98 OSP 1240	Reilly	02/11/99	
William Steven Ray v. Parks and Recreation Falls Lake-David Kellam--Supert	98 OSP 1603	Chess	03/19/99	
Don N. Mitchell v. North Carolina Wildlife Resources Commission	99 OSP 0064	Owens	04/12/99	
<b>Health and Human Services</b>				
Velma Harper v. Dept. of Health & Human Services, Caswell Center	96 OSP 0109	Chess	02/02/99	
Annette Honea v. Department of Human Resources	96 OSP 0833	Chess	08/24/98	
William David Simpson v. Macon County Board of Health	97 OSP 0167	Chess	01/27/99	13 17 NCR 1488
Angela M. Miles v. Cumberland County Department of Social Services	97 OSP 0613*5	Gray	07/10/98	
Shung Fung-Chin v. Department of Human Resources, Caswell Center	97 OSP 0638*10	Chess	08/13/98	
Walker Cannon v. DHR/Caswell Center	97 OSP 0731	Phipps	11/30/98	
Charity Swick v. Cumberland County Department of Social Services	97 OSP 0775	Gray	07/10/98	
Yolandra Best and Roy Hudson v. DHHS, John Umstead Hospital	97 OSP 0862*11	Chess	08/13/98	
Yolandra Best and Roy Hudson v. DHHS, John Umstead Hospital	97 OSP 0863*11	Chess	08/13/98	

\* Consolidated Cases.

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Donald Ray Ebron v Department of Human Resources	97 OSP 0881* <sup>22</sup>	Phipps	02/09/99	
Kenneth Dippel v Columbus County Dept of Social Services	97 OSP 0905	Gray	11/09/98	
Fred Foster, Jr v Department of Health and Human Services	97 OSP 1287* <sup>12</sup>	Smith	08/20/98	
Donald Ray Ebron v Department of Human Resources	97 OSP 1406* <sup>22</sup>	Phipps	02/09/99	
Shung Fung-Chin v Department of Human Resources, Caswell Center	97 OSP 1530* <sup>10</sup>	Chess	08/13/98	
Ruth Holroyd v Montgomery Cty DSS, Children's Services	97 OSP 1586	Smith	05/27/98	13.02 NCR 257
Tilda D Whitaker v Nash County Health Department Board of Directors	97 OSP 1665	Gray	12/02/98	
Fred Foster, Jr v Department of Health and Human Services	97 OSP 1701* <sup>12</sup>	Smith	08/20/98	
James W Crews v DHHS, Murdoch Center	98 OSP 0060	Gray	07/20/98	
Patricia R Quick v DHHS, Dorothea Dix Hospital	98 OSP 0061	Becton	07/16/98	
Angela M Miles v Cumberland County Department of Social Services	98 OSP 0084* <sup>5</sup>	Gray	07/10/98	
Delores Laverne Rich v Health & Human Services, Dorothea Dix Hosp.	98 OSP 0120	Gray	07/08/98	
Clifidean Bethea v Lincoln Co Department of Social Services	98 OSP 1238* <sup>26</sup>	Phipps	04/09/99	
Robin Heavner Franklin v Lincoln Co Dept of Social Services	98 OSP 1239* <sup>26</sup>	Phipps	04/09/99	
Pat Hovis v Lincoln County Department of Social Services	98 OSP 1348* <sup>26</sup>	Phipps	04/09/99	
Elwin C Munson v Health & Human Services, Juvenile Evaluation Center	98 OSP 0140	Phipps	10/28/98	
Fred Foster, Jr v Department of Health and Human Services	98 OSP 0187* <sup>12</sup>	Smith	08/20/98	
Jackie M Sinclair v Duplin-Sampson Area Mental Health DD, SAS	98 OSP 0252	Smith	12/31/98	
David A Kilpatrick v Health & Human Services, Caswell Center	98 OSP 0271	Owens	08/13/98	
Fred Foster, Jr v Department of Health and Human Services	98 OSP 0403* <sup>12</sup>	Smith	08/20/98	
Laura Blanton v Cleveland Center	98 OSP 0453	Smith	10/02/98	
Anthony M Ruiz v Department of Health & Human Svcs, Youth Svcs	98 OSP 0454	Gray	06/04/98	
Rudolph Waters v DHHS, Youth Services, Dobbs School	98 OSP 0474	Morrison	07/30/98	
Euwell Falconer v Karen A Andrews, Gaston-Lincoln Area Mental Health	98 OSP 0538	Reilly	08/06/98	
Jeffrey L Williams v Dorothea Dix Hospital	98 OSP 0595	Becton	07/22/98	
Minnie Barnes Edwards v Pitt Cty Mental Health, Dev Disabilities/SA	98 OSP 0684	Gray	03/15/99	
Delores Laverne Rich v DHHS, Dorothea Dix Hospital	98 OSP 0763	Gray	12/02/98	
Barbara Jean Paquette v Durham County (respondeat superior for the Durham County Public Library)	98 OSP 0765	Morrison	08/05/98	
Linda Paige v Center Point Human Services Forsyth Mental Health Forsyth Industrial Systems	98 OSP 0819	Smith	11/05/98	
Fred Foster, Jr v Department of Health & Human Services	98 OSP 1012* <sup>25</sup>	Gray	03/18/99	
Fred Foster, Jr v Department of Health & Human Services	98 OSP 1013* <sup>25</sup>	Gray	03/18/99	
Fred Foster, Jr v Department of Health & Human Services	98 OSP 1014* <sup>25</sup>	Gray	03/18/99	
Stanley K Strong v Jimmy Summerville, Dobbs School, Youth Svcs	98 OSP 1017	Gray	12/07/98	
Derrick Skinner v Health & Human Services, Cherry Hospital	98 OSP 1035	Gray	09/21/98	
Kelvin J Leeks v Cumberland Cty Mental Health & Sub Abuse Facility	98 OSP 1037	Morrison	02/11/99	
Fred Foster, Jr v Department of Health & Human Services	98 OSP 1075* <sup>25</sup>	Gray	03/18/99	
Paul I Long v Department of Health & Human Services	98 OSP 1202	Owens	12/16/98	
Fred Foster, Jr v Department of Health & Human Services	98 OSP 1218* <sup>25</sup>	Gray	03/18/99	
Laune K Smith v Cabbarrus County Department of Social Services	98 OSP 1617	Reilly	03/03/99	
Brindia A Gaines v Juvenile Evaluation Center	98 OSP 0110	Chess	04/01/99	
Brenda Brogden v Dept of Health & Human Services MH/DD/SAS	99 OSP 0130	Owens	04/08/99	
<b>Department of Insurance</b>				
Patricia Casey Rollins v Department of Insurance	95 OSP 0729	Chess	12/14/98	
<b>Department of Justice</b>				
Linda Margaret Koss v State Bureau of Investigation	97 OSP 0189	Chess	08/14/98	
Marvin Sherriel Clark v Department of Correction	98 OSP 0300* <sup>19</sup>	Phipps	01/08/99	
and				
Marvin S Clark v Criminal Justice Ed & Training Stds Comm				
<b>Department of Public Instruction</b>				
Lilhe Burnette Pearsall v Wayne Cty Bd of Ed, Mrs Veda McNair and Mr Steve Taylor	98 OSP 0944	Smith	08/25/98	
<b>Secretary of State</b>				
Jonathan M Demers v Department of Secretary of State	97 OSP 1018	Becton	07/07/98	13 03 NCR 343
<b>Department of Transportation</b>				
Pasquale Vendettuoli v Department of Transportation	97 OSP 1090	Morrison	12/19/98	
Johnny O Shivar v Department of Transportation	97 OSP 1366	Reilly	09/01/98	
Teresa G Mitchell v Department of Transportation	97 OSP 1565	Smith	12/09/98	
Larry W Davis v Department of Transportation	98 OSP 0241	Gray	07/08/98	
Sherry Lynn Noles v Department of Transportation-NCDMV	98 OSP 0269	Chess	08/11/98	
Clarice Goodwin Arthur v Department of Transportation, Ferries Division	98 OSP 0864	Phipps	09/24/98	
Warren J Haines, Jr v NC DOT, Div of Highways	98 OSP 0910	Gray	04/16/99	
Robert L Swinney v Department of Transportation	98 OSP 0969	Gray	02/09/99	
Carolyn J Parnell v Department of Transportation	98 OSP 1251	Owens	03/01/99	
Deanna M Brown v Department of Transportation	98 OSP 1438	Phipps	03/15/99	
<b>University of North Carolina</b>				
Joseph A Bryant v North Carolina A & T University	96 OSP 1698* <sup>16</sup>	Mann	12/02/98	



Joseph A. Bryant v. North Carolina A & T University	97 OSP 0242*	Mann	12/02/98
Douglas Love, Jr. v. UNC Hospitals	97 OSP 0662	Reilly	06/08/98
Deborah J. Fenner v. NC Central University	97 OSP 0902	Chess	05/29/98
Joyce M. Smith v. North Carolina Central University	97 OSP 1297	Smith	06/25/98
Edwin Swain v. University of North Carolina at Chapel Hill	97 OSP 1694	Morrison	07/31/98
Patricia A.G. Roberts v. Asst./Chan./Qty. Mgmt./Dir. Human Res. UNCW	98 OSP 0178	Phipps	10/08/98
Leo Watford, Roosevelt Parris, Claiborne Baker, et al. v. University of North Carolina at Chapel Hill	98 OSP 0254	Chess	07/17/98
Johnny Johnson, Jr. v. A & T St. University Student Union-Grievance Bd.	98 OSP 0299	Owens	09/02/98
Jessie L. Johnson v. Bernard K. Locklear, UNC at Pembroke	98 OSP 0444	Gray	09/29/98
Jonathan L. Fann v. North Carolina State University Physical Plant	98 OSP 0465	Becton	07/17/98
Greta M. Hawthorne v. University of NC at Pembroke	98 OSP 0831	Chess	09/11/98
Robert W. Brinson v. NC State University	98 OSP 0887	Owens	08/10/98
Alberta A. Ingram-Peterson v. NC Central University	98 OSP 1024	Smith	10/14/98
Leslie Wright v. NC State University	98 OSP 1088	Smith	02/03/99
Thomas H. Hasty, III v. NC A & T State University	98 OSP 1114	Reilly	12/30/98
Fred T. Jackson v. UNC-Charlotte Recreational Facilities	98 OSP 1216	Smith	10/22/98
Betty Parks v. Winston Salem State University	98 OSP 1278	Chess	11/25/98
Ronnie Bell v. Dave Hillard, UNC at Charlotte	98 OSP 1330	Smith	11/10/98
Brenda D. Moore v. Atty. Wanda Jenkins, Fayetteville St. University	98 OSP 1506	Smith	01/25/99
Joseph Carroll Goodlake v. UNCA	98 OSP 1535	Phipps	01/07/99
Timothy Edwin Grizzard v. North Carolina State University	99 OSP 0140	Owens	04/06/99

**STATE TREASURER**

Hugh A. Wells v. Consolidated Judicial Retirement System of NC, Bd. of Trustees Teachers and State Employees' Retirement System	98 DST 0316	Morrison	06/05/98	13 01 NCR 166
Walter Williams v. Bd. of Trustees NC Local Gov. Emp. Retirement Sys.	98 DST 0774	Smith	12/08/98	
Alfred R. Grooms v. State Treasurer, Retirement Systems Division	98 DST 1128	Reilly	03/05/99	

**TRANSPORTATION**

David Warren Dew et al. v. Motor Vehicles, Alexander Killens Comm.	95 DOT 1144	Gray	06/04/98
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**UNIVERSITY OF NORTH CAROLINA**

Patricia D. Hall v. University of North Carolina at Chapel Hill	98 UNC 0397	Reilly	08/20/98
Ladonna P. James v. UNC Hospitals	98 UNC 0591	Becton	07/20/98
Joyceline Sellars v. UNC Hospitals	98 UNC 1113	Smith	10/22/98

STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
98 DHR 1565

COUNTY OF DARE

DEBORAH PELLEY,

Petitioner,

v.

N.C. DEPARTMENT OF HEALTH AND HUMAN  
SERVICES,

Respondent.

**RECOMMENDED DECISION**

The above-entitled matter was heard before Robert Roosevelt Reilly Jr., Administrative Law Judge, on March 17, 1999, in Manteo, North Carolina.

**APPEARANCES**

Petitioner: Deborah Pelley, pro se  
Respondent: Kathleen U. Baldwin, Assistant Attorney General

**ISSUES**

1. Whether Respondent failed to assist Petitioner in the handling of her interstate child support enforcement case?
2. Whether Respondent is improperly holding monies belonging to Petitioner?
3. Whether Petitioner is entitled to attorneys fees for services she received from California attorneys?

**FINDINGS OF FACT**

Based on the preponderance of the evidence, the undersigned makes the following findings of fact:

1. All parties are properly before the Office of Administrative Hearings ("OAH"), and the OAH has jurisdiction over the parties and the subject matter.
2. Respondent operates a child support enforcement program under the North Carolina Department of Health and Human Services, Division of Social Services, Child Support Enforcement ("CSE") section. Said program is organized pursuant to Title IV-D of the Social Security Act, 42 U.S.C. § 651 *et seq.*, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, 110 Stat. 2105, and receives both federal and state funding. The North Carolina CSE program is described in G.S. § 110-128 *et seq.*
3. Petitioner applied for services with CSE in Dare County on February 21, 1995, requesting assistance in enforcing child support due her minor son, Matthew Nelson Pelley, from her ex-husband, Raymond Wilfred Pelley, Jr., pursuant to a California child support order.
4. Mr. Raymond Wilfred Pelley, Jr. resides in California and has not resided in North Carolina at any time relevant to this case.
5. Petitioner is not a recipient of Temporary Assistance for Needy Families (TANF) or its predecessor program, Aid for Dependent Children (AFDC).
6. Petitioner's case became active in early 1997 when a case "clean-up" was initiated by CSE in preparation for going to the new automated system. Petitioner was contacted about her desires to continue with CSE services and she indicated she did want her case pursued. Prior to that time, CSE had no contact with Petitioner after her initial application for services.



7. On January 22, 1997, Respondent wrote Mr. Raymond Wilfred Pelley, Jr. regarding his child support obligation and received in response to that letter a copy of a motion filed on February 18, 1997, in Los Angeles, California, by Mr. Pelley's attorney. Said motion requested a modification of child support, determination of the amount of child support arrearages, and also presented extensive issues regarding Petitioner's alleged failure to abide by the visitation provisions set forth in the original California divorce and child support decrees. Such visitation issues were presented as Exhibit A to Mr. Pelley's motion.
8. Cindy Wilson, Program Consultant for the State CSE program (and former Supervisor of the Manteo CSE office), testified that she was concerned that the case in California was calendared to be heard so quickly and transmitted by FAX a number of documents to the California child support enforcement authorities, including a request that the case be processed via the Uniform Interstate Family Support Act ("UIFSA"), a law enacted in all states and found in North Carolina law at Chapter 52C of the General Statutes.
9. In March 1997, Petitioner wrote a letter to Dare County CSE's IV-D attorney, Tom Davis, requesting his assistance on a number of legal matters, including questions regarding custody and visitation and proceeds from a personal injury settlement in California.
10. Mr. Davis very promptly responded to Petitioner by letter sent via FAX indicating that he was not licensed in California and also that he was prohibited by law from handling any matters relating to child custody or visitation. This letter did not advise Petitioner to seek counsel for her child support case but pointed her toward seeking assistance from the California IV-D program. Mr. Davis made additional effort for Petitioner by consulting Martindale-Hubbell and listing several "av" rated firms specializing in domestic law in the Los Angeles area that might assist Petitioner in her custody and visitation issues.
11. Even after Mr. Davis' letter, CSE officials were in contact with Petitioner and continued contacts with California authorities regarding Petitioner's child support case.
12. Petitioner hired a California attorney who ultimately handled both the child support and the custody and visitation issues in California.
13. In July 1997, the Los Angeles District Attorney's Office took Petitioner's child support case to court and obtained an order that money be redirected through the Court Trustee and that the case was to be enforced by the Los Angeles District Attorney's Office.
14. After Petitioner hired private counsel and the entire case had been referred to California authorities as an interstate case, Respondent closed Petitioner's case in January 1998. In January 1998, the case was heard in California and a judgment was entered in favor of Petitioner against her former husband for the principal amount of \$36,955.15 with interest of \$13,446.57. The Dare County CSE case was reopened in August 1998 after monies came into the Raleigh CSE office from California on Petitioner's child support case.
15. In August 1998, a payment of \$1200.00 was received in Petitioner's case and was mailed to Petitioner by the Raleigh CSE office but was returned for lack of good address. This check was reissued in October 1998.
16. More money came in on the account in October, 1998. On October 26, 1998, a payment of \$18,800 was released to Petitioner. Another \$7000 was held pursuant to a request by California officials so that they might complete an audit on the case.
17. On December 1, 1998, a check for \$7000 was issued to Petitioner after the audit was completed.
18. Checks in the amount of \$400 for ongoing child support have been issued to Petitioner on December 10, 1998, January 12, 1999, February 5, 1999, and March 17, 1999. Money in Petitioner's child support case goes through the California CSE authorities to the Raleigh CSE office.
19. Respondent is not holding any money for Petitioner. Money has been disbursed quite promptly in this case.
20. Respondent never refused to provide services to Petitioner nor did it recommend that she obtain private counsel for her child support enforcement case in California.

**CONCLUSIONS OF LAW**

Based upon the foregoing findings of fact, the undersigned makes the following conclusions of law:

1. The parties are properly before the Office of Administrative Hearings.
2. Respondent provided services to Petitioner and attempted to assist her in coordinating her child support enforcement case with the California CSE authorities.
3. Respondent could not directly pursue enforcement of Petitioner's case in North Carolina because North Carolina does not have personal jurisdiction over Mr. Pelley and also because the California courts specifically retained jurisdiction in the original divorce and child support decrees, to which Petitioner consented.
4. Respondent is not holding child support money for Petitioner.
5. Respondent did not advise Petitioner to seek private counsel in the child support case but rather for her child custody and visitation case. In any event, attorneys fees may not be awarded against Respondent because of the doctrine of sovereign immunity. The State of North Carolina has not waived its sovereign immunity in this matter.

**RECOMMENDED DECISION**

Petitioner was unable to meet her burden of proving her case and it is hereby recommended that judgment be entered in favor of Respondent.

**ORDER**

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, North Carolina 27611-7447, in accordance with North Carolina General Statute § 150B-36(b).

**NOTICE**

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. § 150B-36(a).

The agency is required by G.S. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the Office of Administrative Hearings.

This the 14<sup>th</sup> day of April, 1999.

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Robert Roosevelt Reilly Jr.  
Administrative Law Judge



# CUMULATIVE INDEX

(Updated through May 7, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

## ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 0101	12-22 NCR 1981		13-05 NCR 502	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 01 0101	13-22 NCR 1820									
21 NCAC 01 0105	12-22 NCR 1981		13-05 NCR 502	*	Approve	12/17/98	*		13-17 NCR 1381	

## ADMINISTRATION

### Council for Women, North Carolina

1 NCAC 17	13-19 NCR 1606									
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### Environmental Policy Act

1 NCAC 25 0211	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 25 0212	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0213	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0301	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0302	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0303	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0402	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0504	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 25 0505	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 25 0506	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0602	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0603	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 25 0605	12-23 NCR 2088		13-08 NCR 642	*	Approve	12/17/98	*		13-17 NCR 1381	

### Indian Affairs, Commission of

1 NCAC 15 0201	13-02 NCR 175									
1 NCAC 15 0202	13-02 NCR 175		13-08 NCR 640	*	Approve	12/17/98	*		13-17 NCR 1381	

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1 NCAC 15 0203	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 15 0204	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 15 0205	13 02 NCR 175									
1 NCAC 15 0206	13 02 NCR 175									
1 NCAC 15 0207	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 15 0208	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 15 0209	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 15 0210	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 15 0211	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 15 0212	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 15 0213	13 02 NCR 175									
1 NCAC 15 0214	13 02 NCR 175		13 08 NCR 640	*	Approve	12/17/98	*		13 17 NCR 1381	
<b>Non-Public Education</b>										
1 NCAC 40 0101		13 05 NCR 521								
1 NCAC 40 0102		13 05 NCR 521								
1 NCAC 40 0103		13 05 NCR 521								
1 NCAC 40 0201		13 13 NCR 1057								
1 NCAC 40 0202		13 05 NCR 521								
1 NCAC 40 0203		13 13 NCR 1057								
1 NCAC 40 0204		13 05 NCR 521								
<b>Purchase and Contract Division</b>										
1 NCAC 05A 0101	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05A 0108	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05A 0112	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B 0101	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B 0102	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B 0201	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	



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1 NCAC 05B .0203	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0206	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0208	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0301		12 17 NCR 1611	13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0302		12 17 NCR 1611	13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0303	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0305	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0306	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0309	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0310		12 17 NCR 1611	13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0314	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0315	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0316		12 17 NCR 1611	13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0317	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0401		12 17 NCR 1611	13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0402	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0403	13 04 NCR 360		13 08 NCR 627	*						
1 NCAC 05B .0503	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0601	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0701	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0801		12 17 NCR 1611	13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .0802		12 17 NCR 1611	13 08 NCR 627	*						
1 NCAC 05B .0901	13 04 NCR 360		13 08 NCR 627	*						
1 NCAC 05B .0905	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 05B .0906	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 05B .1101	13 04 NCR 360		13 08 NCR 627	*	Approve	12/17/98	*		13 17 NCR 1381	

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1 NCAC 05B 1102	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1105	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1301		12-17 NCR 1611	13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1303	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1401	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1402	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1501	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1505	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1507	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1509	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1510	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1511	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1512	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1513	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1517	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1518	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1519		12-17 NCR 1611	13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1520	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13-17 NCR 1381	
1 NCAC 05B 1521	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1601	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1602	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1603	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1604		12-17 NCR 1611	13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1605	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1901	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	
1 NCAC 05B 1903	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13-17 NCR 1381	



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1 NCAC 05B .1906		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .1907	13.04 NCR 360		13.08 NCR 627	*						
1 NCAC 05B .1909	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05C	13.04 NCR 360									
1 NCAC 05D	13.04 NCR 360									
<b>State Building Commission</b>										
1 NCAC 30F .0305	13.04 NCR 360		13.08 NCR 645	*	Approve	12/17/98	*		13.17 NCR 1381	
<b>State Employees Combined Campaign</b>										
1 NCAC 35 .0101	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0103	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0202	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0304	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0308	13.04 NCR 360		13.08 NCR 647	*						
<b>ADMINISTRATIVE HEARINGS</b>										
26 NCAC 01 .0102	N/A	N/A	N/A	N/A	Approve	06/18/98			13.09 NCR 779	13.03 NCR 334
<b>AGRICULTURE</b>										
2 NCAC 09K .0214	13.14 NCR 1109		13.20 NCR 1717	*						
2 NCAC 20B .0104	13.13 NCR 1040		13.18 NCR 1503	*						
2 NCAC 43L .0309	13.14 NCR 1109		13.20 NCR 1718	*						
<b>Consumer Services</b>										
2 NCAC 54 .0101	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*						
2 NCAC 54 .0102	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*						
2 NCAC 54 .0103	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*						
2 NCAC 54 .0104	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*						
2 NCAC 54 .0105	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*						
<b>Structural Pest Control</b>										
2 NCAC 34 .0404	12.09 NCR 743		12.14 NCR 1234	*	Object Approve	04/15/98 05/21/98	*		13.02 NCR 249	
<b>APPRAISAL BOARD</b>										

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21 NCAC 57A .0101	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0102	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0201	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0202	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0203	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0204	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0205	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0206	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0207	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0208	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0210	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0301	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0302	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0303	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0304	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0305	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0306	13.01 NCR 3		13.05 NCR 513	*	Object	11/19/98	*		13.16 NCR 1265	
21 NCAC 57A .0401	13.01 NCR 3		13.05 NCR 513	*	Approve	03/18/99			13.16 NCR 1265	
21 NCAC 57A .0402	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0403	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0404	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0405	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0406	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0407	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0501	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
<b>ATHLETIC TRAINER EXAMINERS, BOARD OF</b>										
21 NCAC 03 .0101		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0102		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	



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21 NCAC 03 .0103		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0201		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0301		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0302		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0303		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0304		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0401		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
<b>ATHLETIC TRAINER EXAMINERS/MEDICAL BOARD COMMITTEE</b>										
21 NCAC 03 .0501		12-18 NCR 1714	12-22 NCR 2007	*	Approve	09/17/98	*		13-11 NCR 912	
<b>CERTIFIED PUBLIC ACCOUNTANT EXAMINERS</b>										
21 NCAC 08A .0301	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08A .0308	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08A .0310	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08A .0315	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08F .0107	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08F .0504	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08H .0101	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08H .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08I .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0107	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0108	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0110	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0111	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08K .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08K .0105	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0103	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	

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21 NCAC 08M 0201	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0202	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0204	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
21 NCAC 08M 0206	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0207	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0301	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0302	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0303	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0304	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0305	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0306	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0401	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
21 NCAC 08M 0402	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08M 0403	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08N 0202	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
21 NCAC 08N 0208	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98			13 17 NCR 1381	
21 NCAC 08N 0302	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
21 NCAC 08N 0303	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
21 NCAC 08N 0306	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
21 NCAC 08N 0307	13 03 NCR 269		13 08 NCR 696	*	Approve	12/17/98	*		13 17 NCR 1381	
<b>CHIROPRACTIC</b>										
21 NCAC 10 0203		12-23 NCR 2098	13 14 NCR 1117	*	Approve	04/15/99	*			
<b>COMMERCE</b>										
4 NCAC 01E 0104	11 09 NCR 569		13 08 NCR 652	*	Object	12/17/98	*		13-22 NCR 1868	
4 NCAC 01E 0202	11 09 NCR 569		13 08 NCR 652	*	Approve	01/21/99			13 17 NCR 1381	
4 NCAC 01E 0205	11 09 NCR 569		13 08 NCR 652	*	Approve	12/17/98			13 17 NCR 1381	
4 NCAC 01E 0206	11 09 NCR 569		13 08 NCR 652	*	Approve	12/17/98			13 17 NCR 1381	
4 NCAC 01E 0207	11 09 NCR 569		13 08 NCR 652	*	Approve	12/17/98			13 17 NCR 1381	



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4 NCAC 01F .0303	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13 17 NCR 1381	
4 NCAC 01E .0306	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13 17 NCR 1381	
4 NCAC 01F	11-09 NCR 569									
4 NCAC 01H	11-09 NCR 569									
4 NCAC 01H .0101	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0101		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0102	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0102		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0201	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0201		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0202	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0202		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0301	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0301		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0302	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0302		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0303	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0303		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0304	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0304		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0401	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0401		13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0402	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0402		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0403	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0403		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0404	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0404		13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0405	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0405		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0501	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0501		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0502	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0502		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0503	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0503		13 15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0601	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0601		13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0701	11 09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0701		13 15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0801		13 15 NCR 1224	13-20 NCR 1719	*						

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4 NCAC 01J	11-09 NCR 569									
1 NCAC 01K .0101	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0102	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98	*		13-22 NCR 1868	
4 NCAC 01K .0103	11-09 NCR 569		13-08 NCR 652	*	Approve	01/21/99				
4 NCAC 01K .0104	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98	*		13-22 NCR 1868	
4 NCAC 01K .0105	11-09 NCR 569		13-08 NCR 652	*	Approve	01/21/99			13-17 NCR 1381	
4 NCAC 01K .0202	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0203	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0204	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0205	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0206	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0301	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0302	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0401	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98	*		13-22 NCR 1868	
4 NCAC 01K .0402	11-09 NCR 569		13-08 NCR 652	*	Approve	01/21/99			13-17 NCR 1381	
4 NCAC 01K .0404	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98	*		13-22 NCR 1868	
				*	Approve	01/21/99			13-17 NCR 1381	
<b>Banking Commission</b>										
4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03H .0102	N/A		N/A	N/A	Approve	03/18/99				
<b>COMMUNITY COLLEGES</b>										
23 NCAC 02B .0104	13-10 NCR 804		13-22 NCR 1849	*	Object	10/22/98				
23 NCAC 02C .0307	13-05 NCR 524				Approve	03/18/99				
23 NCAC 02C .0503	13-10 NCR 815		13-22 NCR 1849	*	Object	10/22/98				
23 NCAC 02C .0504	13-10 NCR 815		13-22 NCR 1849	*	Approve	03/18/99				



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23 NCAC 02C .0505		13.10 NCR 815	13.22 NCR 1849	*						
23 NCAC 02D .0323	13.19 NCR 1609									
23 NCAC 02D .0324	13.19 NCR 1609									
<b>COSMETIC ART EXAMINERS</b>										
21 NCAC 14A .0101	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14A .0103	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14A .0104	13.14 NCR 1114									
21 NCAC 14A .0104	N/A	N/A	N/A	N/A	Approve	07/23/98			13.09 NCR 779	
21 NCAC 14A .0105		13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14C .0202	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14F .0101	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14F .0105	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14G .0103		13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14H .0112		13.16 NCR 1263	13.21 NCR 1794	*						
21 NCAC 14H .0118		13.16 NCR 1263	13.21 NCR 1794	*						
21 NCAC 14I .0104	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14I .0107	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14I .0107	12.22 NCR 1981	13.14 NCR 1157	13.02 NCR 246	*	Approve	09/17/98	*		13.11 NCR 912	
21 NCAC 14I .0109	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14J .0103		13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14J .0208	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14J .0501	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14K .0102		13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14K .0107		13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14L .0101	13.14 NCR 1114		13.19 NCR 1652	*						
21 NCAC 14L .0105	12.06 NCR 453		12.11 NCR 925	*	Approve	06/18/98			13.03 NCR 334	
21 NCAC 14L .0105	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*						
21 NCAC 14L .0109		13.14 NCR 1157								

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21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99					
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99					
21 NCAC 14L .0216		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14L .0303	13.14 NCR 1114		13.19 NCR 1652	*							
21 NCAC 14N .0101	13.14 NCR 1114		13.19 NCR 1652	*							
21 NCAC 14N .0102	13.14 NCR 1114		13.19 NCR 1652	*							
21 NCAC 14N .0103	12.06 NCR 453		12.11 NCR 925	*	Approve	09/17/98	*		13.11 NCR 912		
21 NCAC 14N .0103	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0104		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0105	13.14 NCR 1114		13.19 NCR 1652	*							
21 NCAC 14N .0108	13.14 NCR 1114		13.19 NCR 1652	*							
21 NCAC 14N .0110		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0112	13.14 NCR 1114		13.19 NCR 1652	*							
21 NCAC 14N .0113	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0601		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0602		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0701		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14N .0702		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0101		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0102		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0103		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0104		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0105		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0106		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14O .0107		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14P .0101		13.14 NCR 1157	13.19 NCR 1652	*							
21 NCAC 14P .0102		13.14 NCR 1157	13.19 NCR 1652	L							
21 NCAC 14P .0103		13.14 NCR 1157	13.19 NCR 1652	L							
21 NCAC 14P .0104		13.14 NCR 1157	13.19 NCR 1652	L							

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21 NCAC 14P 0105		13:14 NCR 1157	13:19 NCR 1652	I						
21 NCAC 14P 0106		13:14 NCR 1157	13:19 NCR 1652	I						
21 NCAC 14P 0107		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P 0108		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P 0109		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P 0110		13:14 NCR 1157	13:19 NCR 1652	I						
21 NCAC 14P 0111		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P 0112		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P 0113		13:14 NCR 1157	13:19 NCR 1652	I						
21 NCAC 14P 0114		13:14 NCR 1157	13:19 NCR 1652	I						
21 NCAC 14P 0115		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P 0116		13:14 NCR 1157	13:19 NCR 1652	L						
<b>CRIME CONTROL &amp; PUBLIC SAFETY</b>										
Governor's Crime Commission										
14A NCAC 07 0313	11:24 NCR 1818		12:01 NCR 6	*	Object Approve	09/17/98 10/22/98	*		13:11 NCR 912 13:14 NCR 1167	
<b>DENTAL EXAMINERS</b>										
21 NCAC 16G 0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G 0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G 0103	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16H 0101	12:24 NCR 2203									
21 NCAC 16H 0102	12:24 NCR 2203									
21 NCAC 16H 0103	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H 0104	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H 0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H 0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H 0203	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H 0204	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H 0205	12:24 NCR 2203		13:15 NCR 1218	*						



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21 NCAC 16H .0206	12-24 NCR 2203									
21 NCAC 16I .0004	11-20 NCR 1538									
21 NCAC 16I .0005	11-20 NCR 1538									
21 NCAC 16M .0101		13-11 NCR 910	13-15 NCR 1218	*						
21 NCAC 16P .0101	13-10 NCR 804									
21 NCAC 16P .0102	13-10 NCR 804									
21 NCAC 16P .0103	13-10 NCR 804									
21 NCAC 16P .0104	13-10 NCR 804									
21 NCAC 16P .0105	13-10 NCR 804									
21 NCAC 16Q .0101	12-24 NCR 2203									
21 NCAC 16Q .0201	12-24 NCR 2203		13-15 NCR 1218	*						
21 NCAC 16Q .0202	12-24 NCR 2203		13-15 NCR 1218	*						
21 NCAC 16Q .0301	12-24 NCR 2203		13-15 NCR 1218	*						
21 NCAC 16Q .0302	12-24 NCR 2203		13-15 NCR 1218	*						
21 NCAC 16R .0002	11-20 NCR 1538									
21 NCAC 16R .0003	11-20 NCR 1538									
21 NCAC 16R .0005	11-20 NCR 1538									
21 NCAC 16S .0205	13-10 NCR 804		13-15 NCR 1218	*						
21 NCAC 16V .0101	13-10 NCR 804		13-15 NCR 1218	*						
21 NCAC 16V .0102	13-10 NCR 804		13-15 NCR 1218	*						
21 NCAC 16V .0102	N/A	N/A	N/A	N/A	Approve	08/20/98			13-10 NCR 817	
<b>ELECTRICAL CONTRACTORS, EXAMINERS OF</b>										
21 NCAC 18B .0108	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98			13-16 NCR 1265	
21 NCAC 18B .0201	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98			13-16 NCR 1265	
21 NCAC 18B .0202	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98	*		13-16 NCR 1265	
21 NCAC 18B .0203	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98			13-16 NCR 1265	
21 NCAC 18B .0402	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98			13-16 NCR 1265	
21 NCAC 18B .0406	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98	*		13-16 NCR 1265	
21 NCAC 18B .0501	12-22 NCR 1982		13-05 NCR 502	*	Approve	11/19/98	*		13-16 NCR 1265	

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21 NCAC 18B .0504	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0505	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0701	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0702	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0703	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0704	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0706	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1001	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1002	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1003	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1004	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1101	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1102	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1104	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B 1105	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
<b>EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF</b>										
21 NCAC 11 .0101	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0102	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Agency withdrew					
21 NCAC 11 .0103	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Agency withdrew					
21 NCAC 11 .0104	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0105	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0106	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0107	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0108	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0109	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Object	01/21/99	*			
21 NCAC 11 .0110	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	02/18/99	*		13.22 NCR 1868	
21 NCAC 11 .0111	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0112	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	

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ENVIRONMENT AND NATURAL RESOURCES										
Notice of Intent to Redevelop a Brownfields Property										
Notice of Intent to Redevelop a Brownfields Property										
15A NCAC 01J .0101		13 18 NCR 1528	13-22 NCR 1827	*						13 06 NCR 537
15A NCAC 01J .0102		13 18 NCR 1528	13-22 NCR 1827	S/L						13 19 NCR 1602
15A NCAC 01J .0202		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0303		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0402		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0502		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0504		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J .0601		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J .0604		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01J .0701		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0703		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0803		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0903		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01J .0904		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01K	10 19 NCR 2506									
15A NCAC 01L .0101		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0102		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L .0203		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0303		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0501		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L .0503		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0601		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0604		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0701		13 18 NCR 1528	13-22 NCR 1827	*						
15A NCAC 01L .0801		13 18 NCR 1528	13-22 NCR 1827	S/L						
15A NCAC 01L .0902		13 18 NCR 1528	13-22 NCR 1827	S/L						



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15A NCAC 01L .1003		13.18 NCR 1528	13.22 NCR 1827	*						
15A NCAC 01L .1004		13.18 NCR 1528	13.22 NCR 1827	*						
15A NCAC 01M .0101		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0102		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0201		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0202		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0301		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0302		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0303		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0304		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0305		11.19 NCR 1439	Temp Expired							
15A NCAC 01M .0306		11.19 NCR 1439	Temp Expired							
15A NCAC 01N .0101	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0102	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0103	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0201	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0202	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0203	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0301	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0302	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0303	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0304	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0401	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0402	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0403	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Object	11/19/98			13.17 NCR 1381	
15A NCAC 01N .0501	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 01N .0502	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0503	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	

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15A NCAC 01N 0601	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0602	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0603	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0604	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Object	11/19/98	*		13 17 NCR 1381	
15A NCAC 01N 0605	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0606	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 01N 0701	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Object	11/19/98			13 17 NCR 1381	
15A NCAC 01N 0702	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 01N 0703	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98			13 17 NCR 1381	
15A NCAC 01N 0704	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Object	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0705	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0801	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0802	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01N 0901	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 01N 0902	12 08 NCR 614	12 16 NCR 1511	13 04 NCR 362	S	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 01O 0101	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98	*		13 17 NCR 1381	
15A NCAC 01O 0102	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98	*		13 17 NCR 1381	
15A NCAC 01O 0103	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98			13 17 NCR 1381	
15A NCAC 01O 0104	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98	*		13 17 NCR 1381	
15A NCAC 01O 0105	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98	*		13 17 NCR 1381	
15A NCAC 01O 0106	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98			13 17 NCR 1381	
15A NCAC 01O 0107	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98	*		13 17 NCR 1381	
15A NCAC 01O 0108	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98	*		13 17 NCR 1381	
15A NCAC 01O 0109	12 16 NCR 1482	12 17 NCR 1617	13 07 NCR 588	*	Approve	12/17/98			13 17 NCR 1381	
15A NCAC 12B 0901	12 13 NCR 1097	12 03 NCR 209	13 05 NCR 495	L	Approve	12/17/98			13 17 NCR 1381	

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15A NCAC 07H .0200	13.22 NCR 1818									
15A NCAC 07H .0208	11.19 NCR 1408			*						
15A NCAC 07H .0208	12.21 NCR 1873		11.27 NCR 2058							
15A NCAC 07H .0209	12.21 NCR 1873									
15A NCAC 07H .0210	12.02 NCR 52									
15A NCAC 07H .0300	13.05 NCR 436									
15A NCAC 07H .0306	11.04 NCR 183		11.11 NCR 907	*						
15A NCAC 07H .0306	12.19 NCR 1763									
15A NCAC 07M .0307	13.22 NCR 1818									
15A NCAC 07H .0308	12.16 NCR 1489		13.01 NCR 26	S	Approve	09/17/98	*		13.11 NCR 912	
15A NCAC 07H .0308	N/A		N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
15A NCAC 07H .0310	12.11 NCR 919		13.13 NCR 1044	S						
15A NCAC 07H .1100	12.21 NCR 1873		12.20 NCR 1828	S	Approve	08/20/98	*		13.10 NCR 817	
15A NCAC 07H .1200	12.21 NCR 1873									
15A NCAC 07H .1300	12.21 NCR 1873									
15A NCAC 07H .1400	12.21 NCR 1873									
15A NCAC 07H .1500	12.21 NCR 1873									
15A NCAC 07H .1600	12.21 NCR 1873									
15A NCAC 07H .1600	11.15 NCR 1200									
15A NCAC 07H .1700	12.21 NCR 1873									
15A NCAC 07H .1705	12.16 NCR 1489		13.01 NCR 26	S	Object	09/17/98	*		13.11 NCR 912	
15A NCAC 07H .1805		13.07 NCR 593	13.16 NCR 1259	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 07H .2101	13.05 NCR 436		13.13 NCR 1044	S						
15A NCAC 07H .2102	13.05 NCR 436		13.13 NCR 1044	S						
15A NCAC 07H .2105	13.05 NCR 436		13.13 NCR 1044	S						
15A NCAC 07H .2401	13.05 NCR 436		13.13 NCR 1044	S						
15A NCAC 07H .2402	13.05 NCR 436		13.13 NCR 1044	S						



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15A NCAC 07H 2403	13:05 NCR 436		13:13 NCR 1044	S						
15A NCAC 07H 2404	13:05 NCR 436		13:13 NCR 1044	S						
15A NCAC 07H 2405	13:05 NCR 436		13:13 NCR 1044	S						
15A NCAC 07J 0200	12:24 NCR 2202									
15A NCAC 07J 0204		13:07 NCR 593								
15A NCAC 07J 0405	12:24 NCR 2202									
15A NCAC 07K 0203	12:21 NCR 1873									
15A NCAC 07K 0208	12:21 NCR 1873									
15A NCAC 07L 0202	12:21 NCR 1874									
15A NCAC 07L 0203	12:21 NCR 1874									
15A NCAC 07L 0206	12:21 NCR 1874									
15A NCAC 07L 0302	12:21 NCR 1874									
15A NCAC 07L 0304	12:21 NCR 1874									
15A NCAC 07L 0401	12:21 NCR 1874									
15A NCAC 07L 0405	12:21 NCR 1874									
15A NCAC 07M 0300	12:24 NCR 2202									
15A NCAC 07M 0401	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07M 0402	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07M 0403	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07O 0105	13:02 NCR 176		13:06 NCR 551	S	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 07O 0202	13:02 NCR 176		13:06 NCR 551	S	Approve	12/17/98	*		13:17 NCR 1381	
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15A NCAC 02	10:24 NCR 3045									13:22 NCR 1814
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B 0100	13:08 NCR 621									
15A NCAC 02B 0101	11:24 NCR 1818									
15A NCAC 02B 0200	13:08 NCR 621		11:30 NCR 2303	*						

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15A NCAC 02B .0202	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B .0223	11-02 NCR 75									
15A NCAC 02B .0223	11-03 NCR 109									
15A NCAC 02B .0225	13-19 NCR 1606									
15A NCAC 02B .0227	10-18 NCR 2400		11-12 NCR 973	*						
15A NCAC 02B .0230	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B .0231	11-02 NCR 75		11-10 NCR 824	L/SE						
			11-14 NCR 1136							
15A NCAC 02B .0233	11-02 NCR 75		11-10 NCR 824	L	Object	01/15/98				
		12-02 NCR 77			Approve	02/19/98	*		12-22 NCR 2012	Disapproved (HB 1402)
		12-14 NCR 1348	11-14 NCR 1136	L						
		12-20 NCR 1836								
15A NCAC 02B .0245	12-23 NCR 2088		12-06 NCR 462	S/L/SE						
15A NCAC 02B .0246	12-23 NCR 2088		13-04 NCR 368	*						
15A NCAC 02B .0247	12-23 NCR 2088		13-04 NCR 368							
15A NCAC 02B .0248	12-23 NCR 2088		13-04 NCR 368	L/SE						
15A NCAC 02B .0249	12-23 NCR 2088		13-04 NCR 368	*	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 02B .0250	12-23 NCR 2088		13-04 NCR 368	SE	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 02B .0251	12-23 NCR 2088		13-04 NCR 368	L/SE	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 02B .0303	13-14 NCR 1111		13-04 NCR 368	L/SE	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 02B .0304	13-14 NCR 1111		13-20 NCR 1727	*						
15A NCAC 02B .0306	13-14 NCR 1111		13-20 NCR 1727	*						
15A NCAC 02B .0306	13-19 NCR 1606		13-20 NCR 1727	*						
15A NCAC 02B .0308	12-12 NCR 993		12-21 NCR 1879	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02B .0308	12-14 NCR 1233		12-23 NCR 2091	L	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02B .0308	12-16 NCR 1489		12-19 NCR 1769	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02B .0308	13-14 NCR 1111		13-20 NCR 1727	*						
15A NCAC 02B .0309	12-14 NCR 1233		12-19 NCR 1769	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02B .0310	13-19 NCR 1606									

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15A NCAC 02B .0311	12-10 NCR 865		12-20 NCR 1825	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02B .0311	12-23 NCR 2088		13-04 NCR 368	*	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 02B .0313	12-10 NCR 865		12-20 NCR 1825	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02B .0316	11-26 NCR 1976		12-01 NCR 6	*	Approve	01/15/98	*		12-21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13-19 NCR 1606									
15A NCAC 02D	13-12 NCR 943									
15A NCAC 02D .0101	12-02 NCR 52									
15A NCAC 02D .0101	12-16 NCR 1482									
15A NCAC 02D .0108	11-15 NCR 1200									
15A NCAC 02D .0307	11-15 NCR 1200									
15A NCAC 02D .0405	12-16 NCR 1482		13-03 NCR 270	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D .0409	12-16 NCR 1482		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02D .0410	12-16 NCR 1482		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02D .0501	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D .0501	11-15 NCR 1200									
15A NCAC 02D .0501	11-04 NCR 183									
15A NCAC 02D .0501	13-16 NCR 1252									
15A NCAC 02D .0503	10-24 NCR 3045		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02D .0504	10-24 NCR 3045		13-03 NCR 270	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D .0518	11-19 NCR 1408									
15A NCAC 02D .0521	11-15 NCR 1200									
15A NCAC 02D .0524	11-15 NCR 1200									
15A NCAC 02D .0524	13-08 NCR 621									
15A NCAC 02D .0525	11-15 NCR 1200									
15A NCAC 02D .0540	13-04 NCR 356									
15A NCAC 02D .0541	13-08 NCR 621									
15A NCAC 02D .0541	13-16 NCR 1252									
15A NCAC 02D .0601	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02D .0602	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98			13-16 NCR 1265	



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15A NCAC 02D 0604	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0605	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0606	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0607	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0608	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0610	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0610	11-15 NCR 1200									
15A NCAC 02D 0611	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0611	11-15 NCR 1200									
15A NCAC 02D 0612	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0612	11-15 NCR 1200									
15A NCAC 02D 0613	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0613	11-15 NCR 1200									
15A NCAC 02D 0614	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0614	11-15 NCR 1200									
15A NCAC 02D 0615	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0615	11-15 NCR 1200									
15A NCAC 02D 0806	11-26 NCR 1976									
15A NCAC 02D 0902	11-19 NCR 1408									
15A NCAC 02D 0903	10-18 NCR 2318		12-22 NCR 1983	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02D 0903	11-15 NCR 1200									
15A NCAC 02D 0909	11-19 NCR 1408									
15A NCAC 02D 0912	11-15 NCR 1200									
15A NCAC 02D 0917	11-19 NCR 1408									
15A NCAC 02D 0918	11-19 NCR 1408									
15A NCAC 02D 0919	11-19 NCR 1408									
15A NCAC 02D 0920	11-19 NCR 1408									
15A NCAC 02D 0921	11-19 NCR 1408									
15A NCAC 02D 0922	11-19 NCR 1408									

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15A NCAC 02D 0923	11 19 NCR 1408									
15A NCAC 02D 0924	11 19 NCR 1408									
15A NCAC 02D 0926	13 16 NCR 1252									
15A NCAC 02D 0927	13 16 NCR 1252									
15A NCAC 02D 0932	13 16 NCR 1252									
15A NCAC 02D 0934	11 19 NCR 1408									
15A NCAC 02D 0948	11 19 NCR 1408									
15A NCAC 02D 0949	11 19 NCR 1408									
15A NCAC 02D 0950	11 19 NCR 1408									
15A NCAC 02D 0951	11 19 NCR 1408									
15A NCAC 02D 0952	12 16 NCR 1482									
15A NCAC 02D 0954	11 15 NCR 1200									
15A NCAC 02D 1100	11 08 NCR 442									
15A NCAC 02D 1103	13 04 NCR 356									
15A NCAC 02D 1104	12 02 NCR 52	12 02 NCR 77								
15A NCAC 02D 1104	13 04 NCR 356									
15A NCAC 02D 1104	13 16 NCR 1252									
15A NCAC 02D 1105	10 18 NCR 2318		12 22 NCR 1983	*	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1105	11 15 NCR 1200									
15A NCAC 02D 1106	11 26 NCR 1976									
15A NCAC 02D 1200	13 12 NCR 943									
15A NCAC 02D 1200	13 16 NCR 1252									
15A NCAC 02D 1201	12 16 NCR 1482		13 03 NCR 270	L	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 02D 1202	12 16 NCR 1482		13 03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1203	11 15 NCR 1200									
15A NCAC 02D 1203	12 16 NCR 1482		13 03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1204	10 18 NCR 2318		12 22 NCR 1983	*	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1204	12 16 NCR 1482		13 03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1205	12 16 NCR 1482		13 03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	

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15A NCAC 02D .1206	12.16 NCR 1482		13.03 NCR 270	L	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D .1208	12.16 NCR 1482		13.03 NCR 270	L	Object	11/19/98			13.17 NCR 1381	
15A NCAC 02D .1209	12.16 NCR 1482		13.03 NCR 270	L	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 02D .1404	10.18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D .1404	11.15 NCR 1200									
15A NCAC 02D .1501	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .1502	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .1503	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .1504	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .1601	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .1700	12.02 NCR 52									
15A NCAC 02D .1703	13.16 NCR 1252									
15A NCAC 02D .1801		13.18 NCR 1545								
		13.22 NCR 1860								
15A NCAC 02D .1802		13.18 NCR 1545								
		13.22 NCR 1860								
15A NCAC 02D .1803		13.18 NCR 1545								
		13.22 NCR 1860								
15A NCAC 02D .1804		13.18 NCR 1545								
15A NCAC 02D .1805		13.18 NCR 1545								
15A NCAC 02D .1903	12.16 NCR 1482									
15A NCAC 02D .1903	13.12 NCR 943									
15A NCAC 02D .1904	12.16 NCR 1482									
15A NCAC 02D .2001	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D .2002	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .2003	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D .2004	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D .2005	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D .2100	13.04 NCR 356									
15A NCAC 02D .2200	11.26 NCR 1976									



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15A NCAC 02E .0102	13-20 NCR 1715									
15A NCAC 02E .0103	13-20 NCR 1715									
15A NCAC 02E .0106	13-20 NCR 1715									
15A NCAC 02E .0107	13-20 NCR 1715									
15A NCAC 02E .0201	13-20 NCR 1715									
15A NCAC 02E .0202	13-20 NCR 1715									
15A NCAC 02E .0205	13-20 NCR 1715									
15A NCAC 02E .0501	13-20 NCR 1715									
15A NCAC 02E .0502	13-20 NCR 1715									
15A NCAC 02E .0503	13-20 NCR 1715									
15A NCAC 02E .0504	13-20 NCR 1715									
15A NCAC 02H .0226	12-20 NCR 1817	13-04 NCR 426	13-05 NCR 491	*						
15A NCAC 02H .0610	10-18 NCR 2317	12-02 NCR 77	12-08 NCR 650	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 02H .0610	12-02 NCR 52	Temp Expired 04/11/98								
15A NCAC 02H .0800	13-04 NCR 356									
15A NCAC 02H .0800	13-08 NCR 621									
15A NCAC 02H .1202	11-15 NCR 1200									
15A NCAC 02H .1203	11-15 NCR 1200									
15A NCAC 02H .1204	11-15 NCR 1200									
15A NCAC 02H .1205	11-15 NCR 1200									
15A NCAC 02L	11-15 NCR 1200									
	11-15 NCR 1204									
15A NCAC 02L .0106		12-08 NCR 713								
15A NCAC 02L .0115	11-15 NCR 1204	12-08 NCR 713								
15A NCAC 02L .0202	10-20 NCR 2591									
15A NCAC 02L .0202	13-04 NCR 356									
15A NCAC 02N	11-15 NCR 1200									
15A NCAC 02N	11-15 NCR 1204									
15A NCAC 02P	11-15 NCR 1200									

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15A NCAC 02P .0402	11:15 NCR 1204	12:08 NCR 713								
15A NCAC 02Q .0102	11:19 NCR 1408									
15A NCAC 02Q .0102	12:02 NCR 52		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02Q .0102	12:16 NCR 1482									
15A NCAC 02Q .0102	13:08 NCR 621									
15A NCAC 02Q .0102	13:12 NCR 943									
15A NCAC 02Q .0102		13:18 NCR 1545								
15A NCAC 02Q .0103	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0103	12:20 NCR 1817									
15A NCAC 02Q .0107	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0304	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0306	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0309	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0314	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0315	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0401	12:04 NCR 240		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0402	12:04 NCR 240		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0508	13:08 NCR 621									
15A NCAC 02Q .0511	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0702	13:12 NCR 943		13:20 NCR 1727	*						
15A NCAC 02Q .0703	13:04 NCR 356									
15A NCAC 02Q .0711	13:04 NCR 356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0801	12:02 NCR 52		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02Q .0803	12:02 NCR 52		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02Q .0808	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						

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15A NCAC 02R 0600	12-02 NCR 52									
15A NCAC 02S	13-18 NCR 1502									
<b>Health Services, Commission for</b>										
15A NCAC 13A 0100	12-02 NCR 52									
15A NCAC 13A 0109	12-07 NCR 509		12-22 NCR 2000	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13A 0110	12-07 NCR 509		12-22 NCR 2000	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13A 0111	12-07 NCR 509		12-22 NCR 2000	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13B 1301		12-12 NCR 1064	12-24 NCR 2211	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13B 1624	11-19 NCR 1764	13-03 NCR 325	12-24 NCR 2211	L	Object	09/17/98				
					Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 13B 1627	11-08 NCR 442		11-13 NCR 1055	*						
15A NCAC 13B 1800	11-08 NCR 442									
15A NCAC 13B 1800	11-26 NCR 1976									
15A NCAC 18A	11-04 NCR 183									
15A NCAC 18A 0425		12-14 NCR 1352								
		13-06 NCR 566	13-06 NCR 566	*	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A 0432		12-14 NCR 1352								
		13-06 NCR 566	13-06 NCR 566	*	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A 1000	13-16 NCR 1252									
15A NCAC 18A 1202	N/A		N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A 1300	13-16 NCR 1252									
15A NCAC 18A 1600	13-16 NCR 1252									
15A NCAC 18A 1601		12-21 NCR 1882								
15A NCAC 18A 1611		12-21 NCR 1882								
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15A NCAC 18A 1700	13-16 NCR 1252									
15A NCAC 18A 1720	12-16 NCR 1482									
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15A NCAC 18A 1808	13-08 NCR 621		13-13 NCR 1047	*	Approve	04/15/99	*			
15A NCAC 18A 1810		12-24 NCR 2228	13-13 NCR 1047	*	Approve	04/15/99				
		13-20 NCR 1740								
15A NCAC 18A 1812	13-08 NCR 621		13-13 NCR 1047	*	Approve	04/15/99	*			



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15A NCAC 18A 1952		13.12 NCR 979								
15A NCAC 18A 1953		13.12 NCR 979								
15A NCAC 18A 1954		13.12 NCR 979								
15A NCAC 18A 1955		13.12 NCR 979								
15A NCAC 18A 2308	12.03 NCR 168		12.07 NCR 519	*	Ext Review Object	12/18/97 01/15/98				
15A NCAC 18A 2309	12.03 NCR 168		12.07 NCR 519	*	Ext Review Object	12/18/97 01/15/98				
15A NCAC 18A 2400	13.16 NCR 1252									
15A NCAC 18A 2508	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A 2513	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A 2515	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A 2517	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A 2518	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A 2522	12.08 NCR 614		13.01 NCR 31	*	Object	10/22/98				
15A NCAC 18A 2526	12.08 NCR 614		13.01 NCR 31	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 18A 2528	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2530	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2531	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2532	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2535	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2537	12.08 NCR 614		13.01 NCR 31	*	Object	10/22/98	*			
15A NCAC 18A 2539	12.08 NCR 614		13.01 NCR 31	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 18A 2543	12.08 NCR 614		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2600	12.04 NCR 240		13.01 NCR 31	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2612		12.14 NCR 1352								
15A NCAC 18A 2801	12.16 NCR 1482	13.06 NCR 566	13.06 NCR 566	*	Approve	12/17/98			13.17 NCR 1381	
15A NCAC 18A 2802	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2803	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
		12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98			13.14 NCR 1167	

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15A NCAC 18A 2804	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Object	10/22/98				
15A NCAC 18A 2805	12.16 NCR 1482				Object	11/19/98	*		13.17 NCR 1381	
15A NCAC 18A 2806	12.16 NCR 1482				Approve	12/17/98				
15A NCAC 18A 2807	12.16 NCR 1482									
15A NCAC 18A 2808	12.16 NCR 1482		13.02 NCR 235	*	Object	10/22/98	*		13.16 NCR 1265	
15A NCAC 18A 2809	12.16 NCR 1482				Approve	11/19/98				
15A NCAC 18A 2810	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2811	12.16 NCR 1482									
15A NCAC 18A 2812	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2813	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2814	12.16 NCR 1482									
15A NCAC 18A 2815	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A 2816	12.16 NCR 1482									
15A NCAC 18A 2817	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2818	12.16 NCR 1482									
15A NCAC 18A 2819	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2820	12.16 NCR 1482									
15A NCAC 18A 2821	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2822	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2823	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2824	12.16 NCR 1482									
15A NCAC 18A 2825	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2826	12.16 NCR 1482									
15A NCAC 18A 2827	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Object	10/22/98				
15A NCAC 18A 2828	12.16 NCR 1482				Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 18A 2829	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A 2830	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	

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15A NCAC 18A .2831	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 18A .2832	12-16 NCR 1482		13-02 NCR 235	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2833	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Object	10/22/98				
15A NCAC 18A .2834	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 18A .2835	12-16 NCR 1482				Approve	10/22/98			13-14 NCR 1167	
15A NCAC 18A .2836	12-16 NCR 1482									
15A NCAC 18A .3101	12-11 NCR 920									
15A NCAC 18A .3102	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Object	07/23/98	*		13-10 NCR 817	
15A NCAC 18A .3103	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Approve	08/20/98				
15A NCAC 18A .3104	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Object	07/23/98	*		13-10 NCR 817	
15A NCAC 18A .3105	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Approve	08/20/98	*		13-09 NCR 779	
15A NCAC 18A .3106	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Approve	07/23/98	*		13-09 NCR 779	
15A NCAC 18A .3107	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Object	07/23/98	*		13-10 NCR 817	
15A NCAC 18A .3108	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Approve	08/20/98	*		13-09 NCR 779	
15A NCAC 18A .3109	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Approve	07/23/98	*		13-09 NCR 779	
15A NCAC 18A .3110	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Object	07/23/98	*		13-10 NCR 817	
15A NCAC 18A .3111	12-11 NCR 920	12-12 NCR 1064	12-20 NCR 1829	S	Approve	08/20/98	*		13-09 NCR 779	
15A NCAC 18C	13-04 NCR 356									
15A NCAC 19A .0101	12-02 NCR 52	12-02 NCR 88								
15A NCAC 26C .0001	11-19 NCR 1408									
15A NCAC 26C .0002	11-19 NCR 1408									
15A NCAC 26C .0003	11-19 NCR 1408									
15A NCAC 26C .0004	11-19 NCR 1408									
15A NCAC 26C .0005	11-19 NCR 1408									
15A NCAC 26C .0006	11-19 NCR 1408									
15A NCAC 26C .0007	11-19 NCR 1408									

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15A NCAC 04B 0106	12-20 NCAC 1817		13-09 NCR 760	*						
15A NCAC 04B 0107	12-20 NCAC 1817		13-09 NCR 760	*						
15A NCAC 04B 0127	12-20 NCAC 1817		13-09 NCR 760	*						
15A NCAC 04C 0107	13-12 NCR 943		13-19 NCR 1651	*						
<b>Marine Fisheries Commission</b>										
15A NCAC 03 11 11 NCR 881										
15A NCAC 03 11-20 NCR 1537										
15A NCAC 03 11-26 NCR 1985										
15A NCAC 03 12-14 NCR 1113										
15A NCAC 03 13-17 NCR 1377										
15A NCAC 03H 0103	12-23 NCR 2089									
15A NCAC 03I 0101	12-23 NCR 2089		13-03 NCR 303	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 03J 0103	13-08 NCR 739									
15A NCAC 03J 0107	12-23 NCR 2089		13-03 NCR 303	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 03J 0109	12-23 NCR 2089		13-03 NCR 303	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 03J 0202	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03L 0102	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03M 0501	13-08 NCR 739									
15A NCAC 03M 0503	12-19 NCR 1762		13-03 NCR 303	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 03M 0506		13-22 NCR 1865								
15A NCAC 03M 0507	12-23 NCR 2089		13-03 NCR 303	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 03M 0507	13-10 NCR 803									
15A NCAC 03M 0513	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03M 0513	13-19 NCR 1666									
15A NCAC 03M 0515	12-23 NCR 2089		13-03 NCR 303	*						
15A NCAC 03O 0303		12-23 NCR 2094	13-03 NCR 303	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 03O 0306		12-19 NCR 1780	13-03 NCR 303	*	Approve	11/19/98			13-16 NCR 1265	
		12-23 NCR 2094	13-03 NCR 303	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 03O 0401		13-18 NCR 1553								

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15A NCAC 03O .0402		13 18 NCR 1553								
15A NCAC 03O .0403		13 18 NCR 1553								
15A NCAC 03O .0404		13 18 NCR 1553								
15A NCAC 03O .0405		13 18 NCR 1553								
15A NCAC 03O .0406		13 18 NCR 1553								
15A NCAC 03P .0103	12 23 NCR 2089		13 03 NCR 303	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 03P .0201	12 23 NCR 2089		13 03 NCR 303	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 03P .0202	12 23 NCR 2089		13 03 NCR 303	*	Object	11/19/98			13 17 NCR 1381	
15A NCAC 03P .0203	12 23 NCR 2089		13 03 NCR 303	*	Approve	12/17/98	*		13 16 NCR 1265	
15A NCAC 03P .0301	12 23 NCR 2089		13 03 NCR 303	*	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 03P .0302	12 23 NCR 2089		13 03 NCR 303	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 03P .0303	12 23 NCR 2089		13 03 NCR 303	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 03P .0304	12 23 NCR 2089		13 03 NCR 303	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 03Q .0107	11 26 NCR 1985		13 13 NCR 1043	*	Approve	11/19/98			13 16 NCR 1265	
<b>Parks and Recreation Commission</b>										
15A NCAC 12A .0001	12 13 NCR 1097									
15A NCAC 12A .0004	12 13 NCR 1097									
15A NCAC 12A .0005	12 13 NCR 1097									
15A NCAC 12B .0101	12 13 NCR 1097									
15A NCAC 12B .0104	12 13 NCR 1097									
15A NCAC 12B .0106	12 13 NCR 1097									
15A NCAC 12B .0203	12 13 NCR 1097									
15A NCAC 12B .0401	12 13 NCR 1097									
15A NCAC 12B .0402	12 13 NCR 1097									
15A NCAC 12B .0501	12 13 NCR 1097									
15A NCAC 12B .0602	12 13 NCR 1097									
15A NCAC 12B .0701	12 13 NCR 1097									
15A NCAC 12B .0702	12 13 NCR 1097									

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15A NCAC 12B 0802	12.13 NCR 1097									
15A NCAC 12B 1001	12.13 NCR 1097									
15A NCAC 12B 1004	12.13 NCR 1097									
15A NCAC 12B 1102	12.13 NCR 1097									
15A NCAC 12B 1201	12.13 NCR 1097									
<b>Radiation Protection</b>										
15A NCAC 11 0104	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0111	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0117	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0305	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0317	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0318	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 11 0321	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0323	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0339	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0353	12.22 NCR 1979		13-04 NCR 378	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0359	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 11 0360	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0361	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 11 0362	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0502	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0503	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0506	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0507	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0508	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0509	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0510	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 11 0511	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 11 0512	12.22 NCR 1979		13-04 NCR 378	*	Approve	11/19/98			13.16 NCR 1265	



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15A NCAC 11 .0513	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0515	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0516	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0517	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0520	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0521	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0522	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0523	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0524	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0525	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0702	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0703	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1003	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1100	12:04 NCR 240		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1400	12:04 NCR 240		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1633	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1635	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .1647	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1653	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
<b>Soil &amp; Water Conservation</b>										
15A NCAC 06E .0105	12:20 NCR 1817		13:01 NCR 25	*	Approve	11/19/98	*		13:16 NCR 1265	No/Action by Agcy
15A NCAC 06E .0107	12:20 NCR 1817		13:08 NCR 688	*	Approve	12/17/98			13:17 NCR 1381	No/Action by Agcy
<b>Water Pollution Control System Operators Certification Commission</b>										
15A NCAC 08A .0101	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0202	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0301	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0302	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0303	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0101	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 08B .0102	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0103	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0104	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0105	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0106	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0108	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0109	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0201	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0202	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0203	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0204	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0205	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0207	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0208	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0209	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0210	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0211	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0212	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0213	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0214	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0301	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0302	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0303	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0304	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0402	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0404	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0405	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0406	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0502	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	

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15A NCAC 08B .0506	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08C .0102	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08C .0104	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08C .0105	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08C .0106	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08C .0107	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08C .0108	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08D .0102	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08D .0104	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08D .0105	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08D .0106	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08E	11-26 NCR 1976									
15A NCAC 08F	11-26 NCR 1976									
15A NCAC 08F .0406	13-16 NCR 1252									
15A NCAC 08F .0407	13-16 NCR 1252									
15A NCAC 08G .0101	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0102	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0201	11-26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0202	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0203	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0204	11-26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0205	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0301	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0302	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0303	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0304	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0305	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0306	11-26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G .0307	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	



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15A NCAC 08G 0308	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0401	11-26 NCR 1976		13-02 NCR 204	*	Object	11/19/98			13-17 NCR 1381	
15A NCAC 08G 0402	11-26 NCR 1976		13-02 NCR 204	S/L	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 08G 0403	11-26 NCR 1976		13-02 NCR 204	*	Object	12/17/98	*		13-17 NCR 1381	
15A NCAC 08G 0404	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-17 NCR 1381	
15A NCAC 08G 0405	11-26 NCR 1976		13-02 NCR 204	*	Object	12/17/98	*		13-17 NCR 1381	
15A NCAC 08G 0406	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-17 NCR 1381	
15A NCAC 08G 0407	11-26 NCR 1976		13-02 NCR 204	*	Object	12/17/98	*		13-17 NCR 1381	
15A NCAC 08G 0408	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-17 NCR 1381	
15A NCAC 08G 0409	11-26 NCR 1976		13-02 NCR 204	*	Object	12/17/98	*		13-16 NCR 1265	
15A NCAC 08G 0501	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-17 NCR 1381	
15A NCAC 08G 0502	11-26 NCR 1976		13-02 NCR 204	*	Approve	12/17/98	*		13-16 NCR 1265	
15A NCAC 08G 0503	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0504	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0505	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0601	11-26 NCR 1976		13-02 NCR 204	*	Object	11/19/98			13-17 NCR 1381	
15A NCAC 08G 0602	11-26 NCR 1976		13-02 NCR 204	*	Approve	12/17/98	*		13-16 NCR 1265	
15A NCAC 08G 0603	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0604	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0701	11-26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0801	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0802	11-26 NCR 1976		13-02 NCR 204	*	Object	11/19/98			13-17 NCR 1381	
15A NCAC 08G 0803	11-26 NCR 1976		13-02 NCR 204	*	Approve	12/17/98	*		13-16 NCR 1265	
15A NCAC 08G 0804	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0901	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 08G 0902	11-26 NCR 1976		13-02 NCR 204	*	Object	11/19/98			13-16 NCR 1265	

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15A NCAC 08G .1001	11:26 NCR 1976		13:02 NCR 204	*	Approve Agcy withdrew	12/17/98 11/19/98	*		13:17 NCR 1381	
15A NCAC 08G .1002	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .1101	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .1102	11:26 NCR 1976		13:02 NCR 204	*	Agcy withdrew	11/19/98				
<b>Well Contractors Certification Commission</b>										
15A NCAC 27 .0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0701	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						

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Public Notice - 15A NCAC 10B 0105										
15A NCAC 10B 0100	13-08 NCR 625									
15A NCAC 10B 0105		13-07 NCR 595	13-12 NCR 948	*	Object	04/15/99				
15A NCAC 10B 0113	13-08 NCR 625		13-12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B 0115	13-18 NCR 1502	13-19 NCR 1666	13-22 NCR 1842	*						13-04 NCR 353
15A NCAC 10B 0200	13-08 NCR 625									
15A NCAC 10B 0202	13-08 NCR 625		13-12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B 0203	13-08 NCR 625	13-19 NCR 1666	13-12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B 0205	13-08 NCR 625	13-10 NCR 1666	13-12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B 0207	12-06 NCR 445	13-19 NCR 1666	12-24 NCR 2205	*	Approve	09/17/98	*		13-11 NCR 912	
15A NCAC 10B 0209	13-08 NCR 625	13-04 NCR 427	13-12 NCR 948	*	Approve	04/15/99				
15A NCAC 10B 0212	13-08 NCR 625	13-19 NCR 1666	13-12 NCR 948	*	Object	04/15/99				
15A NCAC 10B 0300	13-08 NCR 625	13-19 NCR 1666								
15A NCAC 10B 0302	13-08 NCR 625		13-12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C 0100	13-08 NCR 625	13-19 NCR 1666								
15A NCAC 10C 0107	13-08 NCR 625		13-12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10C 0200	13-08 NCR 625		13-12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C 0205	13-08 NCR 625		13-12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C 0206	13-08 NCR 625	13-19 NCR 1666	13-12 NCR 948	*						
15A NCAC 10C 0300	13-08 NCR 625									
15A NCAC 10C 0302	13-01 NCR 3	13-11 NCR 907	13-05 NCR 492	*	Approve	12/17/98	*		13-17 NCR 1381	
15A NCAC 10C 0305	13-01 NCR 3	13-11 NCR 907	13-05 NCR 492	*	Approve	12/17/98	*		13-17 NCR 1381	
		13-19 NCR 1666	13-12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10C 0400	13-01 NCR 3									
15A NCAC 10C 0400	13-08 NCR 625									



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15A NCAC 10C .0401	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0404	12:06 NCR 445	13:19 NCR 1666	12:12 NCR 1004	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 10C .0405	13:01 NCR 3	13:11 NCR 907	13:05 NCR 492	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*						
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*						
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*						
15A NCAC 10D	12:18 NCR 1694									
15A NCAC 10D .0102	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10D .0102	13:19 NCR 1609	13:19 NCR 1666								
15A NCAC 10D .0103	12:18 NCR 1694		12:24 NCR 2205	*						
15A NCAC 10D .0103	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10D .0103	13:19 NCR 1609	13:19 NCR 1666								
15A NCAC 10F .0201	N/A		N/A	N/A	Approve	03/18/99				
15A NCAC 10F .0300	13:14 NCR 1113									
15A NCAC 10F .0301	12:19 NCR 1763	12:24 NCR 2224	12:24 NCR 2224	*	Object Approve	10/22/98 11/19/98	*		13:16 NCR 1265	
15A NCAC 10F .0303	12:19 NCR 1763									
15A NCAC 10F .0303	N/A		N/A		Approve	05/21/98			13:02 NCR 249	
15A NCAC 10F .0305	12:10 NCR 865	12:16 NCR 1518	12:16 NCR 1518	*	Approve	07/23/98			13:09 NCR 779	
15A NCAC 10F .0310	12:19 NCR 1763	12:24 NCR 2224	12:24 NCR 2224	L	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*			
15A NCAC 10F .0311	12:11 NCR 920	12:24 NCR 2224	12:17 NCR 1608	L	Approve	07/23/98			13:09 NCR 779	
15A NCAC 10F .0314	12:19 NCR 1763									
15A NCAC 10F .0317	12:11 NCR 920	12:24 NCR 2224	12:17 NCR 1608	L	Approve	07/23/98			13:09 NCR 779	
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99				
15A NCAC 10F .0318	12:06 NCR 445									
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L						
15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L						

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15A NCAC 10F 0327	12 11 NCR 920	12 24 NCR 2224	12 17 NCR 1608	L	Approve	07/23/98	*		13 09 NCR 779	
15A NCAC 10F 0330	13 03 NCR 269	13 07 NCR 595	13 07 NCR 595	S/L						
15A NCAC 10F 0330	13 11 NCR 855	13 15 NCR 1217	13 15 NCR 1231	L	Approve	04/15/99				
15A NCAC 10F 0339	13 13 NCR 1040	13 19 NCR 1666	13 19 NCR 1666	L						
15A NCAC 10F 0342	13 07 NCR 585	13 15 NCR 1231	13 11 NCR 905	L	Approve	02/18/99	*			
15A NCAC 10F 0345		12 19 NCR 1781								
15A NCAC 10F 0347		12 19 NCR 1781								
15A NCAC 10F 0359	12 19 NCR 1763									
15A NCAC 10F 0367	13 14 NCR 1113	13 19 NCR 1666	13 19 NCR 1666	L						
15A NCAC 10G 0404	12 06 NCR 445		12 12 NCR 1004	*	Extend Review Object Approve	04/15/98 06/18/98 07/23/98	*		13 09 NCR 779	13 02 NCR 173 13 04 NCR 354 13 07 NCR 583 13 09 NCR 756 13 12 NCR 941 13 13 NCR 1038 13 16 NCR 1251 13 17 NCR 1376 13 18 NCR 1501 13 19 NCR 1603 13 10 NCR 1714 13 21 NCR 1770

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21 NCAC 20 .0105		13:19 NCR 1695								
21 NCAC 20 .0106		13:19 NCR 1695								
21 NCAC 20 .0117		13:19 NCR 1695								
21 NCAC 20 .0120		13:19 NCR 1695								
21 NCAC 20 .0122		13:19 NCR 1695								
21 NCAC 20 .0123		13:19 NCR 1695								

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21 NCAC 12 .0202	13:22 NCR 1821									
21 NCAC 12 .0204		13:06 NCR 568	13:13 NCR 1048	*						
21 NCAC 12 .0204	13:22 NCR 1821									
21 NCAC 12 .0205	13:22 NCR 1821									
21 NCAC 12 .0307	13:22 NCR 1821									
21 NCAC 12 .0402	13:22 NCR 1821									
21 NCAC 12 .0405	13:22 NCR 1821									
21 NCAC 12 .0410	13:22 NCR 1821									
21 NCAC 12 .0503	11:28 NCR 2117									
21 NCAC 12 .0504	11:28 NCR 2117									
21 NCAC 12 .0504	13:13 NCR 1040		13:18 NCR 1524	*						
21 NCAC 12 .0901	13:22 NCR 1821									
21 NCAC 12 .0902	11:28 NCR 2117									
21 NCAC 12 .0905	11:28 NCR 2117									
21 NCAC 12 .0906	11:28 NCR 2117									
21 NCAC 12 .0907	11:28 NCR 2117									
21 NCAC 12 .0907	13:22 NCR 1821									
21 NCAC 12 .0908	11:28 NCR 2117									
21 NCAC 12 .0909	11:28 NCR 2117									
21 NCAC 12 .0910	11:28 NCR 2117									
21 NCAC 12 .0911	11:28 NCR 2117									



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21 NCAC 12 .0912 11:28 NCR 2117

## GOVERNOR'S EXECUTIVE ORDERS

Number 136 - Eff. 06/05/98										13:01 NCR 1
Number 137 - Eff. 08/11/98										13:06 NCR 535
Number 138 - Eff. 08/25/98										13:07 NCR 581
Number 139 - Eff. 08/26/98										13:07 NCR 581
Number 140 - Eff. 09/29/98										13:09 NCR 753
Number 141 - Eff. 12/21/98										13:15 NCR 1216
Number 142 - Eff. 01/19/99										13:16 NCR 1248
Number 143 - Eff. 01/19/99										13:16 NCR 1248
Number 144 - Eff. 02/04/99										13:17 NCR 1375
Number 145 - Eff. 02/25/99										13:19 NCR 1600
Number 146 - Eff. 04/05/99										13:21 NCR 1766
Number 147 - Eff. 04/05/99										13:21 NCR 1766
Number 148 - Eff. 04/12/99										13:22 NCR 1812
Number 149 - Eff. 04/19/99										13:22 NCR 1812

## HEALTH AND HUMAN SERVICES

### Aging

10 NCAC 22 10:23 NCR 2956

### Blind/State Rehabilitation Council, Commission for the

10 NCAC 19G .0823		13:17 NCR 1378	13:21 NCR 1785	*						
10 NCAC 19G .0827		13:17 NCR 1378	13:21 NCR 1785	*						

### Child Day Care Commission

10 NCAC 03U .0102	12:21 NCR 1873		13:06 NCR 539	*	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U .0305	12:21 NCR 1873		13:06 NCR 539	*	Object	11/19/98	*		13:17 NCR 1381	
10 NCAC 03U .0602	11:24 NCR 1817	12:08 NCR 710			Approve	12/17/98				
10 NCAC 03U .0604	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0605	11:24 NCR 1817	12:08 NCR 710								

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10 NCAC 03U .0705	11.14 NCR 1108		11.27 NCR 2054	*						
10 NCAC 03U .0705	11.24 NCR 1817	12.08 NCR 710								
10 NCAC 03U .1601	12.21 NCR 1873		13.06 NCR 539	*	Object	11/19/98	*		13.17 NCR 1381	
10 NCAC 03U .1602	12.21 NCR 1873		13.06 NCR 539	*	Approve	12/17/98	*		13.16 NCR 1265	
10 NCAC 03U .1606	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .1612	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .1701	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2000	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2500	12.21 NCR 1873									
10 NCAC 03U .2801	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2802	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2803	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2804	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2805	12.21 NCR 1873		13.06 NCR 539	S	Object	11/19/98	*		13.17 NCR 1381	
10 NCAC 03U .2806	12.21 NCR 1873		13.06 NCR 539	S	Approve	12/17/98	*		13.17 NCR 1381	
10 NCAC 03U .2807	12.21 NCR 1873		13.06 NCR 539	S	Object	11/19/98	*		13.17 NCR 1381	
10 NCAC 03U .2808	12.21 NCR 1873		13.06 NCR 539	S	Approve	12/17/98	*		13.16 NCR 1265	
10 NCAC 03U .2809	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2810	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2811	12.21 NCR 1873		13.06 NCR 539	S	Object	11/19/98	*		13.17 NCR 1381	
10 NCAC 03U .2812	12.21 NCR 1873		13.06 NCR 539	S	Approve	12/17/98	*		13.17 NCR 1381	
<b>Controller, Office of</b>										
10 NCAC 01B .0418	13.14 NCR 1109		13.22 NCR 1823	*						
10 NCAC 01B .0419	13.14 NCR 1109		13.22 NCR 1823	*						
10 NCAC 01B .0420	13.14 NCR 1109		13.22 NCR 1823	*						
<b>Facility Services</b>										
<b>Certificate of Public Advantage (COPA)</b>										

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Public Notice - Draft 1999 State Medical Facilities Plan										
Abbreviated Notice of Temporary Rule-Making										
10 NCAC 03R .0214	12-08 NCR 617		13-03 NCR 270	*	Approve	10/22/98			13-14 NCR 1167	13-02 NCR 171
10 NCAC 03R .1613		13-14 NCR 1119								13-06 NCR 536
10 NCAC 03R .1615		13-14 NCR 1119								
10 NCAC 03R .1713		13-14 NCR 1119								
10 NCAC 03R .1714		13-14 NCR 1119								
10 NCAC 03R .1715		13-14 NCR 1119								
10 NCAC 03R .1912		13-14 NCR 1119								
10 NCAC 03R .1913		13-14 NCR 1119								
10 NCAC 03R .1914		13-14 NCR 1119								
10 NCAC 03R .2113		13-14 NCR 1119								
10 NCAC 03R .2713		13-14 NCR 1119								
10 NCAC 03R .2715		13-14 NCR 1119								
10 NCAC 03R .3000	11-23 NCR 1780									
10 NCAC 03R .3001	10-23 NCR 2956		11-06 NCR 328	S/L/SE						
10 NCAC 03R .3030	10-23 NCR 2956		11-06 NCR 328	S/L/SE						
10 NCAC 03R .3032	10-23 NCR 2956		11-06 NCR 328	S/L/SE						
10 NCAC 03R .3040	10-23 NCR 2956		11-06 NCR 328	S/L/SE						
10 NCAC 03R .3050	10-23 NCR 2956		11-06 NCR 328	S/L/SE						
10 NCAC 03R .3051		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R .3053		11-22 NCR 1713								
10 NCAC 03R .3053		12-06 NCR 481								
10 NCAC 03R .3060		12-06 NCR 481								
10 NCAC 03R .3061		12-06 NCR 481								
10 NCAC 03R .3063		12-06 NCR 481								
10 NCAC 03R .3065		12-06 NCR 481								
10 NCAC 03R .3072		12-06 NCR 481								



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					Action	Date				
10 NCAC 03R .4203		13.14 NCR 1119								
10 NCAC 03R 6001	11 22 NCR 1704									
10 NCAC 03R 6101		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98	*		13.14 NCR 1167	
10 NCAC 03R 6102		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98	*		13.14 NCR 1167	
10 NCAC 03R 6103		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6104		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6105		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6106		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6107		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6108		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6109		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6110		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6111		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6112		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98			13.14 NCR 1167	
					Object	10/22/98				
					Object	12/17/98				
					Returned to Agency					
10 NCAC 03R 6113		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6114		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6115		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6116		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6117		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6118		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6119		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6120		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6121		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6122		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98	*		13.14 NCR 1167	
10 NCAC 03R 6123		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R 6124		12.15 NCR 1431	13.02 NCR 178	S/L/SE	Approve	10/22/98	*		13.14 NCR 1167	
10 NCAC 03R 6125		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	

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10 NCAC 03R 6126		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6127		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6128		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6129		12 15 NCR 1431	13 02 NCR 178	S/L/SE	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6130		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6131		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6132		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98	*		13 14 NCR 1167	
10 NCAC 03R 6133		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6134		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6135		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6136		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6137		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6138		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6139		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6140		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6141		12 15 NCR 1431	13 02 NCR 178	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 03R 6201		13 14 NCR 1119								
10 NCAC 03R 6202		13 14 NCR 1119								
10 NCAC 03R 6203		13 14 NCR 1119								
10 NCAC 03R 6204		13 14 NCR 1119								
10 NCAC 03R 6205		13 14 NCR 1119								
10 NCAC 03R 6206		13 14 NCR 1119								
10 NCAC 03R 6207		13 14 NCR 1119								
10 NCAC 03R 6208		13 14 NCR 1119								
10 NCAC 03R 6209		13 14 NCR 1119								
10 NCAC 03R 6210		13 14 NCR 1119								
10 NCAC 03R 6211		13 14 NCR 1119								
10 NCAC 03R 6212		13 14 NCR 1119								

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10 NCAC 03R .6213		13 14 NCR 1119								
10 NCAC 03R .6214		13 14 NCR 1119								
10 NCAC 03R .6215		13 14 NCR 1119								
10 NCAC 03R .6216		13 14 NCR 1119								
10 NCAC 03R .6217		13 14 NCR 1119								
10 NCAC 03R .6218		13 14 NCR 1119								
10 NCAC 03R .6219		13 14 NCR 1119								
10 NCAC 03R .6220		13 14 NCR 1119								
10 NCAC 03R .6221		13 14 NCR 1119								
10 NCAC 03R .6222		13 14 NCR 1119								
10 NCAC 03R .6223		13 14 NCR 1119								
10 NCAC 03R .6224		13 14 NCR 1119								
10 NCAC 03R .6225		13 14 NCR 1119								
10 NCAC 03R .6226		13 14 NCR 1119								
10 NCAC 03R .6227		13 14 NCR 1119								
10 NCAC 03R .6228		13 14 NCR 1119								
10 NCAC 03R .6229		13 14 NCR 1119								
10 NCAC 03R .6230		13 14 NCR 1119								
10 NCAC 03R .6231		13 14 NCR 1119								
10 NCAC 03R .6232		13 14 NCR 1119								
10 NCAC 03R .6233		13 14 NCR 1119								
10 NCAC 03R .6234		13 14 NCR 1119								
10 NCAC 03R .6235		13 14 NCR 1119								
10 NCAC 03R .6236		13 14 NCR 1119								
10 NCAC 03R .6237		13 14 NCR 1119								
10 NCAC 03R .6238		13 14 NCR 1119								
10 NCAC 03R .6239		13 14 NCR 1119								
10 NCAC 03R .6240		13 14 NCR 1119								
10 NCAC 03R .6241		13 14 NCR 1119								



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10 NCAC 03S	12.24 NCR 2194									
<b>Health Services</b>										
15A NCAC 16A .0101	12.22 NCR 1979		13.02 NCR 234	*	Object	10/22/98			13.16 NCR 1265	
15A NCAC 16A .0106	12.22 NCR 1979		13.02 NCR 234	*	Approve	11/19/98	*		13.14 NCR 1167	
15A NCAC 16A .0108	12.22 NCR 1979		13.02 NCR 234	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 16A .1103	13.14 NCR 1114				Approve	10/22/98				
15A NCAC 16A .1104	13.14 NCR 1114									
15A NCAC 16A .1106	13.14 NCR 1114									
15A NCAC 19A .0401	13.11 NCR 855									
15A NCAC 19A .0401	13.22 NCR 1818									
15A NCAC 19A .0404	13.11 NCR 855									
15A NCAC 19A .0404	13.22 NCR 1818									
15A NCAC 19A .0406	13.11 NCR 855									
15A NCAC 19A .0406	13.22 NCR 1818									
15A NCAC 19A .0502	13.11 NCR 855	13.13 NCR 1059								
15A NCAC 19A .0502	13.22 NCR 1818									
15A NCAC 19C .0206		12.15 NCR 1451	13.05 NCR 496	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 21H .0110	12.20 NCR 1822		13.07 NCR 591	S	Extended Rev.	01/21/99				
15A NCAC 21H .0111	12.20 NCR 1822		13.07 NCR 591	S	Agency Withdraw	02/02/99				
15A NCAC 21H .0113	12.20 NCR 1822		13.07 NCR 591	S	Approve	01/21/99	*		13.22 NCR 1868	
15A NCAC 23 .0201	13.22 NCR 1820		13.07 NCR 591	*	Approve	01/21/99			13.22 NCR 1868	
15A NCAC 23 .0202		13.18 NCR 1555								
15A NCAC 23 .0202	13.22 NCR 1820									
15A NCAC 23 .0204	13.22 NCR 1820									
15A NCAC 23 .0501	13.22 NCR 1820									
15A NCAC 24A .0101	12.22 NCR 1979		13.02 NCR 244	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 24A .0102	12.22 NCR 1979		13.02 NCR 244	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 24A .0302	12.22 NCR 1979		13.02 NCR 244	*	Approve	10/22/98			13.14 NCR 1167	

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15A NCAC 24A .0402	12.22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0403	12.22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0404	12.22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 26C	13.22 NCR 1820									
<b>Medical Assistance</b>										
Medicaid Disproportionate Share										
10 NCAC 26B .0103	12.18 NCR 1694		13-01 NCR 5	*	Approve	10/22/98	*		13-14 NCR 1167	13-22 NCR 1815
10 NCAC 26D .0110	12.06 NCR 444		12-21 NCR 1875	*						
10 NCAC 26H .0101	11-14 NCR 1108									
10 NCAC 26H .0102	11-14 NCR 1108									
10 NCAC 26H .0102	12-09 NCR 743	12-14 NCR 1341	12-18 NCR 1696	S/L/SE	Approve	07/23/98			13-09 NCR 779	
10 NCAC 26H .0211	12-09 NCR 743	12-14 NCR 1341	12-18 NCR 1696	S/L/SE	Approve	07/23/98			13-09 NCR 779	
10 NCAC 26H .0212		12-09 NCR 827 Temp Expired 7/31/98 12-13 NCR 733								
10 NCAC 26H .0213		11-26 NCR 1997								
10 NCAC 26H .0213		12-09 NCR 827								
		13-08 NCR 733								
10 NCAC 26H .0304		13-03 NCR 316	13-08 NCR 668	S/L	Object	12/17/98			13-22 NCR 1868	
10 NCAC 26H .0401	12-08 NCR 618	12-14 NCR 1341	12-21 NCR 1875	S/L	Approve	01/21/99	*		13-09 NCR 779	
10 NCAC 26H .0401		13-02 NCR 248	13-12 NCR 947	*	Approve	02/18/99	*			
10 NCAC 26I .0101	13-02 NCR 175		13-07 NCR 588	*						
10 NCAC 26K .0106	12-05 NCR 337									
10 NCAC 26K .0106	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 26M .0201	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0202	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0203	12-05 NCR 337									
10 NCAC 26M .0203	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Extend Com. Period 13-05 NCR 435

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10 NCAC 26M .0204	12.06 NCR 444		13.01 NCR 5	*						
10 NCAC 26M .0305	13.02 NCR 175		13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	Extend Com Period 13.05 NCR 435
10 NCAC 50A .0604	12.06 NCR 444		12.21 NCR 1875	*						
10 NCAC 50B .0102		13.18 NCR 1526								
10 NCAC 50B .0202	12.06 NCR 444		12.21 NCR 1875	*						
10 NCAC 50B .0302	13.02 NCR 175		13.10 NCR 806	*	Approve	02/18/99				
10 NCAC 50B .0311	13.03 NCR 268									
10 NCAC 50B .0313	13.02 NCR 175		13.10 NCR 806	*	Approve	02/18/99	*			
10 NCAC 50B .0313		13.18 NCR 1526								
<b>Medical Care Commission</b>										
10 NCAC 03D 1500	11.23 NCR 1779									
10 NCAC 0311 .2210	N/A		N/A	N/A	Approve	09/17/98			13.11 NCR 912	
<b>Mental Health, Developmental Disabilities and Substance Abuse Services</b>										
10 NCAC 14G 0102		12.12 NCR 1060	12.19 NCR 1766	*	Object	06/18/98	*			
10 NCAC 14V .0802	12.20 NCR 1820	13.22 NCR 1853	13.22 NCR 1853	*	Approve	07/23/98			13.09 NCR 779	
10 NCAC 14V .0803	12.20 NCR 1820	13.22 NCR 1853	13.22 NCR 1853	*						
10 NCAC 14V .0804	12.20 NCR 1820	13.22 NCR 1853	13.22 NCR 1853	*						
10 NCAC 14V .0805	12.20 NCR 1820	13.22 NCR 1853	13.22 NCR 1853	*						
10 NCAC 14V .3800	12.20 NCR 1820									
10 NCAC 14V .4000	12.20 NCR 1820									
10 NCAC 14V .4301	12.19 NCR 1762		13.07 NCR 586	*	Approve	01/21/99	*		13.22 NCR 1868	
10 NCAC 14V .4302	12.19 NCR 1762		13.07 NCR 586	*	Object	01/21/99	*			
10 NCAC 14V .4303	12.19 NCR 1762		13.07 NCR 586	*	Approve	01/21/99	*		13.22 NCR 1868	
10 NCAC 14V .4304	12.19 NCR 1762		13.07 NCR 586	*	Approve	01/21/99	*		13.22 NCR 1868	
10 NCAC 14V .4305	12.19 NCR 1762		13.07 NCR 586	*	Approve	01/21/99			13.22 NCR 1868	
10 NCAC 14V .4306	12.19 NCR 1762		13.07 NCR 586	*	Approve	01/21/99			13.22 NCR 1868	
10 NCAC 14V .5000	12.20 NCR 1820									
10 NCAC 4511 .0201	N/A	N/A	N/A	N/A	Approve	08/20/98			13.10 NCR 817	



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10 NCAC 45H 0205	11 19 NCR 1762	12 24 NCR 2223	13 05 NCR 487	*						
<b>Secretary of Health and Human Services</b>										
10 NCAC 14C 1151	12 20 NCR 1820		13 02 NCR 198	*	Approve	12/17/98	*		13 17 NCR 1381	
10 NCAC 14V 7006		12 01 NCR 31	12 07 NCR 511	*						
10 NCAC 14V 7201	13 05 NCR 436		13 13 NCR 1042	*						
10 NCAC 14V 7202	13 05 NCR 436		13 13 NCR 1042	*						
10 NCAC 14V 7203	13 05 NCR 436		13 13 NCR 1042	*						
10 NCAC 14V 7204	13 05 NCR 436		13 13 NCR 1042	*						
10 NCAC 14V 7205	13 05 NCR 436		13 13 NCR 1042	*						
10 NCAC 21B 0117		12 17 NCR 1616	12 21 NCR 1875	S	Approve	07/23/98			13 09 NCR 779	
10 NCAC 49B 0315		12 18 NCR 1703	13 02 NCR 203	*	Approve	10/22/98	*		13 14 NCR 1167	
<b>Social Services Commission</b>										
10 NCAC 24A 0508	12 12 NCR 993	12 13 NCR 1180	12 23 NCR 2090	*	Approve	10/22/98			13 14 NCR 1167	
10 NCAC 29C 0103		13 06 NCR 566	13 19 NCR 1611	*						
10 NCAC 30 0207	12 11 NCR 919	12 14 NCR 1347	12 15 NCR 1420	*	Approve	05/21/98			13 02 NCR 249	
10 NCAC 41A 0107		12 11 NCR 938	12 15 NCR 1420	*	Object Approve	07/23/98	*		13 09 NCR 779	
10 NCAC 41E 0401	12 11 NCR 919		13 05 NCR 438	*						
10 NCAC 41E 0403	12 11 NCR 919		13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E 0404	12 11 NCR 919		13 05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E 0405	12 11 NCR 919		13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E 0406	12 11 NCR 919		13 05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E 0501	12 11 NCR 919		13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E 0502	12 11 NCR 919		13 05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E 0503	12 11 NCR 919		13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E 0504	12 11 NCR 919		13 05 NCR 438	*	Approve	02/18/99				
			13 11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41E .0505	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0506	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0507	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0508	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0509	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0510	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0511	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0512	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0513	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0514	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0515	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0516	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0517	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0518	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0601	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0602	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0603	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0604	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0605	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0606	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0701	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0702	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41E .0703	12 11 NCR 919		13 11 NCR 857	*	Approve	02/18/99				
			13 05 NCR 438	*						
10 NCAC 41E .0704	12 11 NCR 919		13 11 NCR 857	*	Approve	02/18/99				
			13 05 NCR 438	*						
10 NCAC 41F .0707		12 11 NCR 938	13 11 NCR 857	*	Approve	02/18/99				
			12 15 NCR 1420	S	Approve	05/21/98			13 02 NCR 249	
10 NCAC 41F .0813		12 11 NCR 938	12 15 NCR 1420	S	Approve	05/21/98			13 02 NCR 249	
10 NCAC 41G .0501	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0502	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0504	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0505	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0506	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0507	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0508	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0509	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0510	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0511	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0512	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0513	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0601	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0602	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0603	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0604	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0605	12 11 NCR 919		13 05 NCR 438	*						
			13 11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0606	12 11 NCR 919		13 05 NCR 438	*						



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10 NCAC 41G .0701	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0702	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0703	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0704	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0705	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0706	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0707	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0708	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0801	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0802	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0803	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0804	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0805	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0806	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0807	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0808	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0809	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0902	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1001	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1002	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1004	12.11 NCR 919		13.05 NCR 438	*						
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10 NCAC 41G .1005	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1006	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1007	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1008	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1009	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1010	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1011	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1012	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1013	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1101	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1102	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1103	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1104	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1105	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1106	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1201	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1202	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1203	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1204	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1205	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1206	12.11 NCR 919		13-05 NCR 438	*						
10 NCAC 41G .1207	12.11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41G 1208	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1301	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1302	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1303	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1304	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1305	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1306	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1307	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1308	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1309	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G 1402	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41H 0100	10.17 NCR 2228		10.21 NCR 2687	*						
10 NCAC 41H 0102	10.17 NCR 2228		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0101	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0102	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0103	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0104	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0105	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0106	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41R 0107	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S 0101	12.11 NCR 919		13.05 NCR 438	*	Object	02/18/99				
			13.11 NCR 857	*	Approve	02/18/99	*			



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10 NCAC 41S .0102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0201	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41S .0202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41S .0203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0204	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41S .0301	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0302	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0303	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0304	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0305	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0306	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0307	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0401	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0402	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0403	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0404	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0405	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0406	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0407	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0501	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0502	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0503	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			

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					Action	Date				
10 NCAC 41S 0504	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99	*			
			13-05 NCR 438	*						
10 NCAC 41S 0505	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0506	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0601	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0602	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0603	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0604	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0605	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0606	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0607	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0608	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0609	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0610	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0611	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0612	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99	*			
			13-05 NCR 438	*						
10 NCAC 41S 0613	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0614	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99	*			
			13-05 NCR 438	*						
10 NCAC 41S 0615	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0701	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0702	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41S 0703	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						

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10 NCAC 41S 0704	12-11 NCR 919		13-05 NCR 438 13-11 NCR 857	*	Object	02/18/99				
				*	Approve	02/18/99	*			
10 NCAC 41S 0705	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0706	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S 0706	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0707	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41S 0708	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0709	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0710	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0711	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0712	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S 0713	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0101	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41T 0102	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0103	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41T 0104	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0105	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0106	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0201	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41T 0202	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41T 0203	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0204	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T 0205	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				



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10 NCAC 41T .0206	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 42C .2301	12.22 NCR 1979		13.11 NCR 857	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 42C .3401			13.05 NCR 438	*					13.14 NCR 1167	
10 NCAC 42C .3403	12.13 NCR 1180		13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42C .3404	12.13 NCR 1180		13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42C .3601	12.13 NCR 1180		13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42E	13.07 NCR 585									
10 NCAC 42R .0201	12.11 NCR 919	12.13 NCR 1180	12.23 NCR 2090	S/L	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42S	13.07 NCR 585									
10 NCAC 42Z	13.07 NCR 585									
10 NCAC 47A .0502		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98			13.02 NCR 249	
10 NCAC 47B .0102		12.11 NCR 938	12.15 NCR 1420	*	Object	05/21/98			13.03 NCR 334	
10 NCAC 47B .0303		12.11 NCR 938	12.15 NCR 1420	*	Approve	06/18/98	*		13.02 NCR 249	
10 NCAC 47B .0304		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98			13.02 NCR 249	
10 NCAC 47B .0305		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98	*		13.02 NCR 249	
10 NCAC 47B .0403		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98	*		13.02 NCR 249	
10 NCAC 49B .0608	12.20 NCR 1822	13.03 NCR 320	13.06 NCR 549	*	Approve	11/19/98	*		13.16 NCR 1265	
<b>Vocational Rehabilitation Services</b>										
10 NCAC 20B .0224		13.17 NCR 1379								
10 NCAC 20B .0228		13.17 NCR 1379								
10 NCAC 20C .0125	12.24 NCR 2202		13.06 NCR 547	S	Approve	11/19/98	*			
10 NCAC 20C .0206	12.24 NCR 2202		13.06 NCR 547	S	Object	11/19/98	*		13.17 NCR 1381	
<b>HOUSING FINANCE AGENCY</b>										
24 NCAC 01H .0103	13.22 NCR 1822									
<b>INSURANCE</b>										
11 NCAC 06	12.09 NCR 744									
11 NCAC 12	12.09 NCR 744									
11 NCAC 12 .0840	13.01 NCR 2	13.03 NCR 323	13.08 NCR 673	*	Approve	12/17/98			13.17 NCR 1381	

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11 NCAC 12.0841	13-01 NCR 2	13-03 NCR 323	13-08 NCR 673	*	Approve	12/17/98	*		13-17 NCR 1381	
11 NCAC 12.0842	13-01 NCR 2	13-03 NCR 323	13-08 NCR 673	*	Approve	12/17/98	*		13-17 NCR 1381	
11 NCAC 12.1003	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98	*		13-16 NCR 1265	
11 NCAC 12.1025	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98	*		13-16 NCR 1265	
11 NCAC 12.1026	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98			13-16 NCR 1265	
11 NCAC 12.1212	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98	*		13-16 NCR 1265	
11 NCAC 13	12-09 NCR 744									
11 NCAC 14	12-09 NCR 744									
11 NCAC 15	12-09 NCR 744									
11 NCAC 16	12-09 NCR 744									
11 NCAC 17	12-09 NCR 744									
11 NCAC 20	12-09 NCR 744									
11 NCAC 21	12-09 NCR 744									
<b>North Carolina Manufactured Housing Board</b>										
11 NCAC 08.0912	13-01 NCR 2		13-05 NCR 488	*	Object Approve	11/19/98 12/17/98	*		13-17 NCR 1381	
<b>JUSTICE</b>										
<b>Alarm Systems Licensing Board</b>										
12 NCAC 11	11-30 NCR 2300									
12 NCAC 11.0204	12-12 NCR 993		12-20 NCR 1823	*	Approve	11/19/98	*		13-16 NCR 1265	
12 NCAC 11.0210	12-08 NCR 618		12-20 NCR 1823	*	Approve	11/19/98			13-16 NCR 1265	
12 NCAC 11.0501	11-30 NCR 2300		12-20 NCR 1823	*	<b>Object</b> Agcy withdrew	<b>09/17/98</b> 10/22/98				
12 NCAC 11.0502	11-30 NCR 2300		12-20 NCR 1823	*	Object	09/17/98	*		13-14 NCR 1167	
12 NCAC 11.0503	11-30 NCR 2300		12-20 NCR 1823	*	Approve	10/22/98			13-11 NCR 912	
12 NCAC 11.0504	11-30 NCR 2300		12-20 NCR 1823	*	Approve	09/17/98				
12 NCAC 11.0505	11-30 NCR 2300		12-20 NCR 1823	*	Object	09/17/98	*		13-14 NCR 1167	
12 NCAC 11.0506	11-30 NCR 2300		12-20 NCR 1823	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 11.0507	11-30 NCR 2300		12-20 NCR 1823	*	Approve	09/17/98			13-11 NCR 912	

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					Action	Date				
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0101	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09A .0103	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0101	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0107	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0109	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0110	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0112	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0113	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0115	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0201	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0202	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0203	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0204	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0205	13-14 NCR 1110		13-19 NCR 1611	S/L						
12 NCAC 09B .0205	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0206	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0207	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0208	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0209	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0210	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0210	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0211	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0211	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0212	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0212	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0213	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0213	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0214	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	



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12 NCAC 09B .0214	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0215	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0218	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0219	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0220	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0221	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0222	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0226	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0226	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0227	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0227	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0228	13.14 NCR 1110		13.19 NCR 1611	S	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0232	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0232	13.14 NCR 1110		13.19 NCR 1611	S	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0233	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0233	13.14 NCR 1110		13.19 NCR 1611	S						
12 NCAC 09B .0301	12.21 NCR 1873		13.01 NCR 6	*	Object Object Approve	10/22/98 11/19/98 12/17/98	*		13.17 NCR 1381	
12 NCAC 09B .0302	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0303	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0304	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0305	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0309	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0310	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0311	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0312	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0403	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0404	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0404	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98			13.14 NCR 1167	

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12 NCAC 09B 0405	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09B 0406	13 14 NCR 1110		13 19 NCR 1611	S						
12 NCAC 09B 0407	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09B 0408	12 21 NCR 1873		13 01 NCR 6	*	Approve	10/22/98	*		13 14 NCR 1167	
12 NCAC 09B 0409	12 21 NCR 1873		13 01 NCR 6	*	Approve	10/22/98	*		13 14 NCR 1167	
12 NCAC 09B 0414	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09B 0414	12 21 NCR 1873		13 01 NCR 6	*	Approve	10/22/98			13 14 NCR 1167	
12 NCAC 09B 0415	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09B 0416	12 21 NCR 1873		13 01 NCR 6	*	Approve	10/22/98	*		13 14 NCR 1167	
12 NCAC 09B 0603					<b>Object</b>	<b>10/22/98</b>				
12 NCAC 09B 0603	N/A		N/A	N/A	Approve	11/19/98			13 16 NCR 1265	
12 NCAC 09C 0211	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09C 0212	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09C 0213	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09C 0308	12 21 NCR 1873		13 01 NCR 6	*	Approve	10/22/98	*		13 14 NCR 1167	
12 NCAC 09C 0403	13 14 NCR 1110		13 19 NCR 1611	*						
12 NCAC 09C 0601	N/A		N/A							
12 NCAC 09E 0105	N/A		N/A	N/A	Approve	10/22/98			13 14 NCR 1167	
12 NCAC 09E 0106	N/A		N/A	N/A	Approve	10/22/98			13 14 NCR 1167	
12 NCAC 09E 0107	13 14 NCR 1110		N/A	N/A	Approve	10/22/98			13 14 NCR 1167	
12 NCAC 09F 0107	N/A		N/A	N/A	Approve	10/22/98			13 14 NCR 1167	
<b>Private Protective Services Board</b>										
12 NCAC 07D 0204	11 14 NCR 1108		12 08 NCR 622	*	<b>Object</b> Approve	03/20/98 06/18/98	*		13 03 NCR 334	
12 NCAC 07D 0800	13 14 NCR 1110									
12 NCAC 07D 1106	11 14 NCR 1108		12 08 NCR 622	*	<b>Object</b> Approve	03/20/98 06/18/98	*		13 03 NCR 334	
12 NCAC 07D 1201	11 10 NCR 818		12 14 NCR 1263	*	<b>Object</b>	<b>11/19/98</b>				
12 NCAC 07D 1202	11 10 NCR 818		12 14 NCR 1263	*	<b>Object</b>	<b>11/19/98</b>				
12 NCAC 07D 1301	11 16 NCR 1268		12 14 NCR 1263	*	<b>Object</b>	<b>11/19/98</b>				

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12 NCAC 07D .1302	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1303	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1304	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1305	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1306	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1307	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .0206	12:07 NCR 508	12:18 NCR 1703	12:18 NCR 1703	*	Approve	06/18/98			13:03 NCR 334	
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L						
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L						
12 NCAC 10B .0606	13:14 NCR 1110									
12 NCAC 10B .0607	13:14 NCR 1110									
12 NCAC 10B .0703	13:14 NCR 1110		13:19 NCR 1637	S/L						
12 NCAC 10B .0908	13:14 NCR 1110		13:19 NCR 1637	S/L						
12 NCAC 10B .1002	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .1103	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1104	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S						



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					Action	Date				
LABOR										
Boiler and Pressure Vessel Division										
13 NCAC 13 .0406	13.03 NCR 269		13.08 NCR 685	*						
13 NCAC 13 .0409	13.03 NCR 269		13.08 NCR 685	*						
Occupational Safety and Health										
13 NCAC 07A .0900	11.11 NCR 881									13.19 NCR 1604
*Verbatim Adoption Federal Standards										
*13 NCAC 07F .0101										
*13 NCAC 07F .0201										
*13 NCAC 07F .0501										
*13 NCAC 07F .0502										
13 NCAC 07F	11.03 NCR 106									
13 NCAC 07F .0201	11.03 NCR 106									
13 NCAC 07F .0301	11.03 NCR 106									
13 NCAC 07F .0601	13.02 NCR 176		13.21 NCR 1786	S/L/SE						
13 NCAC 07F .0602	13.02 NCR 176		13.21 NCR 1786	S/L						
13 NCAC 07F .0603	13.02 NCR 176		13.21 NCR 1786	S/L/SE						
13 NCAC 07F .0604	13.02 NCR 176		13.21 NCR 1786	S/L/SE						
13 NCAC 07F .0605	13.02 NCR 176		13.21 NCR 1786	S/L/SE						
13 NCAC 07F .0606	13.02 NCR 176		13.21 NCR 1786	S/L						
Retaliatory Employment Discrimination										
13 NCAC 19 .0101	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0102	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0201	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0301	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0302	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0401	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0402	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0501	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	

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					Action	Date				
13 NCAC 19 .0502	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 19 .0601	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 19 .0602	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 19 .0603	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 19 .0604	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 19 .0605	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 19 .0701	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 19 .0702	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13-17 NCR 1381	
<b>Wage and Hour Division</b>										
13 NCAC 12 .0101	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0104	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0303	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0304	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0305	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0306	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0307	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0308	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0309	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0310	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0501	13-03 NCR 268									
13 NCAC 12 .0502	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0602	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0603	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0604	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0605	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0701	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0702	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0801	13-03 NCR 268									
13 NCAC 12 .0802	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	

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13 NCAC 12 .0803	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0804	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0805	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0806	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0807	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
<b>LANDSCAPE ARCHITECTS, BOARD OF</b>										
21 NCAC 26 .0104		12.08 NCR 730								
21 NCAC 26 .0105		12.08 NCR 730								
21 NCAC 26 .0302		12.08 NCR 730								
21 NCAC 26 .0506		12.08 NCR 730								
21 NCAC 26 .0507		12.08 NCR 730								
21 NCAC 26 .0508		12.08 NCR 730								
21 NCAC 26 .0509		12.08 NCR 730								
<b>MEDICAL BOARD</b>										
21 NCAC 32	13.06 NCR 538									
21 NCAC 32B	11.18 NCR 1369									
21 NCAC 32B	12.04 NCR 245									
21 NCAC 32F .0103		11.18 NCR 1386 Temp Expired	12.04 NCR 294	*						
21 NCAC 32F .0103		12.14 NCR 1354	12.21 NCR 1881	*						
21 NCAC 32H .0402		12.04 NCR 314	13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32M .0101	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32M .0102	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32M .0103	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32M .0104	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32M .0105	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32M .0106	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32M .0107	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32M .0108	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	



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21 NCAC 32M .0109	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0110	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0111	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0112	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0115	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0101	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0102	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0103	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0104	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0105	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0106	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0107	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0109	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0110	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0111	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0112	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0113	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0114	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0115	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0116	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0117	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0118	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0119	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0120	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0121	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32R .0101	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32R .0102	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32R .0103	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32R .0104	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	

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21 NCAC 32S .0101	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0102	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0103	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0104	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0105	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0106	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0107	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32S .0108	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32S .0109	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0110	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0111	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0112	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32S .0113	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0114	11.18 NCR 1369		13.08 NCR 709	*	Agcy withdrew	12/17/98				
21 NCAC 32S .0115	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32S .0116	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32S .0117	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0118	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	

## MORTUARY SCIENCE, BOARD OF

21 NCAC 34C 12.09 NCR 745

## MUNICIPAL INCORPORATIONS PETITION

Town of St. James - Brunswick County

Town of Ramertown - Cabarrus County

Town of Hampstead - Pender County

Town of Holiday Island - Perquimans County

Town of Bermuda Run - Davie County

Town of Mineral Springs - Union County

13.14 NCR 1101  
13.14 NCR 1101  
13.14 NCR 1101  
13.14 NCR 1101  
13.14 NCR 1101  
13.14 NCR 1101

## NURSING, BOARD OF

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					Action	Date				
21 NCAC 36.0213	13.22 NCR 1821									
21 NCAC 36.0227	12.05 NCR 338		13.08 NCR 725	*	Approve	12/17/98	*		13.17 NCR 1381	
<b>OPTICIANS, BOARD OF</b>										
21 NCAC 40.0108		12.07 NCR 557								
<b>PHARMACY, BOARD OF</b>										
21 NCAC 46.1317	13.01 NCR 3		13.06 NCR 559	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46.1317	13.22 NCR 1821									
21 NCAC 46.1413	13.22 NCR 1821									
21 NCAC 46.1414	12.24 NCR 2203		13.06 NCR 559	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46.1414	13.22 NCR 1821									
21 NCAC 46.1601	12.24 NCR 2203		13.04 NCR 419	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 46.1601	13.22 NCR 1821									
21 NCAC 46.1606	13.01 NCR 3		13.06 NCR 559	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 46.1608	12.24 NCR 2203									
21 NCAC 46.1609	12.24 NCR 2203									
21 NCAC 46.1612	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
21 NCAC 46.1703	12.24 NCR 2203		13.04 NCR 419	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46.1706	12.24 NCR 2203		13.04 NCR 419	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 46.1804	12.03 NCR 168		12.07 NCR 527 12.09 NCR 797 13.02 NCR 246	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 46.1809	12.24 NCR 2203		13.04 NCR 419	*	State Budget Object	03/20/98 12/17/98				
21 NCAC 46.1810	13.22 NCR 1821			*	Object	02/18/99				
21 NCAC 46.1813	13.22 NCR 1821			*	Object	04/15/99				
21 NCAC 46.1814	13.01 NCR 3			*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 46.1814	13.22 NCR 1821									
21 NCAC 46.1815		13.11 NCR 910	13.22 NCR 1848	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46.2103	12.03 NCR 168		12.07 NCR 527	*						



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					Action	Date				
21 NCAC 46 .2301	12.03 NCR 168		12.09 NCR 797	*						
			12.07 NCR 527	*						
			12.09 NCR 797	*						
21 NCAC 46 .2304	12.24 NCR 2203		13.04 NCR 419	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 46 .2306	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2502	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
				*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46 .2506	12.24 NCR 2203		13.04 NCR 419	*	Object	12/17/98				
21 NCAC 46 .2604	12.24 NCR 2203		13.04 NCR 419	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 46 .2609	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
				*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46 .2611	12.24 NCR 2203		13.04 NCR 419	*	Object	12/17/98	*		13.17 NCR 1381	13.14 NCR 1100 13.21 NCR 1769
Narrow Therapeutic Index Drugs										
Narrow Therapeutic Index Drugs										
<b>PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF</b>										
21 NCAC 50 .0106	12.07 NCR 509									
21 NCAC 50 .0202	12.07 NCR 509									
21 NCAC 50 .0506	12.07 NCR 509	12.07 NCR 557								
21 NCAC 50 .1201	12.07 NCR 509									
21 NCAC 50 .1205	12.07 NCR 509									
21 NCAC 50 .1206	12.07 NCR 509									
21 NCAC 50 .1210	12.07 NCR 509									
21 NCAC 50 .1212	12.07 NCR 509									
21 NCAC 50 .1302	12.07 NCR 509									
Narrow Therapeutic Index Drugs										
<b>PSYCHOLOGY BOARD</b>										
21 NCAC 54 .1611	12.05 NCR 338		13.13 NCR 1050	*						13.14 NCR 1100
21 NCAC 54 .1612	12.05 NCR 338									
21 NCAC 54 .1613	12.05 NCR 338									
21 NCAC 54 .1901	13.21 NCR 1784									

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					Action	Date				
21 NCAC 54 .2006	12-05 NCR 338									
21 NCAC 54 .2010	12-05 NCR 338									
21 NCAC 54 .2104	12-05 NCR 338		13-13 NCR 1050	*						
21 NCAC 54 .2301	12-05 NCR 338									
21 NCAC 54 .2302	12-05 NCR 338									
21 NCAC 54 .2303	12-05 NCR 338									
21 NCAC 54 .2304	12-05 NCR 338									
21 NCAC 54 .2305	12-05 NCR 338									
21 NCAC 54 .2306	12-05 NCR 338									
21 NCAC 54 .2307	12-05 NCR 338									
21 NCAC 54 .2308	12-05 NCR 338									
21 NCAC 54 .2309	12-05 NCR 338									
21 NCAC 54 .2310	12-05 NCR 338									
21 NCAC 54 .2311	12-05 NCR 338									
21 NCAC 54 .2312	12-05 NCR 338									
21 NCAC 54 .2313	12-05 NCR 338									
21 NCAC 54 .2314	12-05 NCR 338									
21 NCAC 54 .2401	12-05 NCR 338									
21 NCAC 54 .2402	12-05 NCR 338									
21 NCAC 54 .2501	12-05 NCR 338									
21 NCAC 54 .2502	12-05 NCR 338									
21 NCAC 54 .2503	12-05 NCR 338									
21 NCAC 54 .2504	12-05 NCR 338									
21 NCAC 54 .2505	12-05 NCR 338									
21 NCAC 54 .2601	12-05 NCR 338									
21 NCAC 54 .2602	12-05 NCR 338									
21 NCAC 54 .2704	12-05 NCR 338		13-13 NCR 1050	*						
21 NCAC 54 .2705	12-05 NCR 338									
21 NCAC 54 .2706	12-05 NCR 338		13-13 NCR 1050	*						

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21 NCAC 54 .2801	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2802	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2803	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2804	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2805	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2806	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2807	12.05 NCR 338		13.13 NCR 1050	*						
<b>PUBLIC EDUCATION</b>										
<b>Public Hearing - Date Change (See 13:18 NCR 1503)</b>										
16 NCAC 06B .0108		13.13 NCR 1061	13.18 NCR 1503	*						13:19 NCR 1605
16 NCAC 06C .0102			13.18 NCR 1503	*						
16 NCAC 06C .0103			13.18 NCR 1503	*						
16 NCAC 06C .0202			13.18 NCR 1503	*						
16 NCAC 06C .0205			13.18 NCR 1503	*						
16 NCAC 06C .0206			13.18 NCR 1503	*						
16 NCAC 06C .0207			13.18 NCR 1503	*						
16 NCAC 06C .0301			13.18 NCR 1503	*						
16 NCAC 06C .0302			13.18 NCR 1503	*						
16 NCAC 06C .0303			13.18 NCR 1503	*						
16 NCAC 06C .0304			13.18 NCR 1503	*						
16 NCAC 06C .0305			13.18 NCR 1503	*						
16 NCAC 06C .0306			13.18 NCR 1503	*						
16 NCAC 06C .0307			13.18 NCR 1503	*						
16 NCAC 06C .0308			13.18 NCR 1503	*						
16 NCAC 06C .0309			13.18 NCR 1503	*						
16 NCAC 06C .0310		12.03 NCR 210	12.01 NCR 18	*						
16 NCAC 06C .0311			13.18 NCR 1503	*						
16 NCAC 06C .0312			13.18 NCR 1503	*						

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16 NCAC 06C .0313			13:18 NCR 1503	*						
16 NCAC 06C .0501			13:18 NCR 1503	*						
16 NCAC 06C .0502		12:09 NCR 834	12:19 NCR 1773	N/A	Approve	08/20/98			13:10 NCR 817	
16 NCAC 06D .0103		12:22 NCR 2010								
16 NCAC 06D .0103			13:18 NCR 1503	*						
16 NCAC 06D .0210			13:18 NCR 1503	*						
16 NCAC 06D .0301			13:18 NCR 1503	*						
16 NCAC 06D .0302			13:18 NCR 1503	*						
16 NCAC 06D .0303			13:18 NCR 1503	*						
16 NCAC 06D .0305			13:18 NCR 1503	*						
16 NCAC 06E .0105		12:05 NCR 433	12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06E .0202			13:18 NCR 1503	*						
16 NCAC 06E .0301		13:05 NCR 523								
16 NCAC 06E .0301			13:18 NCR 1503	*						
16 NCAC 06G .0202			13:18 NCR 1503	*						
16 NCAC 06G .0305			12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06G .0308			13:18 NCR 1503	*						
16 NCAC 06G .0309			13:18 NCR 1503	*						
16 NCAC 06G .0310			12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06G .0311		12:22 NCR 2010								
16 NCAC 06G .0311			13:18 NCR 1503	*						
16 NCAC 06G .0501		12:12 NCR 1071	12:19 NCR 1773	N/A	Approve	08/20/98			13:10 NCR 817	
16 NCAC 06G .0502			13:18 NCR 1503	*						
16 NCAC 06H .0101			13:18 NCR 1503	*						
16 NCAC 06H .0103			13:18 NCR 1503	*						
16 NCAC 06H .0105			13:18 NCR 1503	*						
16 NCAC 06H .0106			13:18 NCR 1503	*						
16 NCAC 06H .0107			13:18 NCR 1503	*						
16 NCAC 06H .0108			13:18 NCR 1503	*						

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16 NCAC 06H .0109			13.18 NCR 1503	*						
16 NCAC 06H .0110			13.18 NCR 1503	*						
<b>REAL ESTATE COMMISSION</b>										
21 NCAC 58A .0101	N/A	N/A	N/A	N/A	Approve	08/20/98			13.10 NCR 817	
<b>REVENUE</b>										
17 NCAC 01C .0601	N/A		13.10 NCR 808	N/A	Approve	12/17/98	*		13.17 NCR 1381	
17 NCAC 03B .0102	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0103	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0104	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0106	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0108	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0109	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0110	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0111	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0112	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0113	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 03B .0114	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 04B .0102	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 04B .0104	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0105	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13.08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13.08 NCR 690	N/A						

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17 NCAC 04B .0312	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		13-08 NCR 690	N/A						
17 NCAC 04D .0204			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0303			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0305			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0401			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0402			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0501			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0505			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0506			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0508			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0610			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0901			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0902			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0903			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0907			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0908			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .1001			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .1003			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04E .0102	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0103	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0202	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13-08 NCR 690	N/A						



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17 NCAC 04E .0703	N/A		13:08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13:08 NCR 690	N/A						
17 NCAC 05B .0107	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05B .1105	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05B .1304	N/A	N/A	N/A	N/A	Approve	09/17/98			13:11 NCR 912	
17 NCAC 05C .0102			12:14 NCR 1285	*						
17 NCAC 05C .0703			12:14 NCR 1285	*						
17 NCAC 05C .0703	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05C .2004	N/A		13:09 NCR 760	N/A	Approve	12/17/98	*		13:17 NCR 1381	
17 NCAC 05C .2101	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05C .2102	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0104	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0105	N/A		13:08 NCR 694	N/A						
17 NCAC 06B .0110	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0118	N/A		13:09 NCR 762	N/A						
17 NCAC 06B .0606	N/A		13:09 NCR 762	N/A	Object	12/17/98				
17 NCAC 06B .3203	N/A		13:09 NCR 762	N/A	Object	03/18/99				
17 NCAC 06B .3204	N/A		13:09 NCR 762	N/A	Approve	04/15/99			13:17 NCR 1381	
17 NCAC 06B .3206	N/A		12:17 NCR 1610	*	Approve	12/17/98			13:03 NCR 334	
17 NCAC 06B .3207	N/A	N/A	13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3719	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3901	N/A		13:09 NCR 762	N/A	Approve	06/18/98			13:17 NCR 1381	
17 NCAC 06B .3904	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .4004	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06C .0124	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .0104	N/A		13:09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .0124	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13:08 NCR 695	N/A						

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17 NCAC 07B .0206	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1301	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1303	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1602	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1704	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1801	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1905	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2101	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2201	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2212	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2802	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3201	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3301	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3302	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3702	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5401	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5402	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5403	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5404	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5405	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5406	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5408	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5409	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5410	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5411	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5412	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5414	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5415	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5416	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	

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17 NCAC 07B .5417	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5418	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5419	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5420	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5421	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5422	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5423	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5424	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5428	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5429	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5430	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5431	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5432	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5433	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5434	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5435	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5438	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5440	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5442	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5443	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5444	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5447	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5448	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5449	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5450	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5451	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5452	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5453	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .5454	N/A		13.06 NCR 552	N/A	Approve	12/17/98			13.17 NCR 1381	



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17 NCAC 07B .5455	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5456	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5457	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5458	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5459	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5460	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5461	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5463	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 09I .0301	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 09K .0601	N/A		13-08 NCR 695	N/A						
17 NCAC 09L .0302			12-17 NCR 1610	*	Approve	06/18/98			13-03 NCR 334	13-03 NCR 262 13-14 NCR 1102 13-21 NCR 1772
Tax Review Board										
Tax Review Board										
Tax Review Board										
<b>SECRETARY OF STATE</b>										
18 NCAC 06 .1212			13-14 NCR 1151							
18 NCAC 06 .1304			13-14 NCR 1151							
18 NCAC 06 .1502			13-14 NCR 1151							
18 NCAC 06 .1802			12-07 NCR 534	*						
18 NCAC 06 .1803			12-07 NCR 534	*						
18 NCAC 10 .0101	13-09 NCR 759		13-14 NCR 1153							
18 NCAC 10 .0201	13-09 NCR 759		13-18 NCR 1556							
18 NCAC 10 .0301	13-09 NCR 759		13-14 NCR 1153							
18 NCAC 10 .0302	13-09 NCR 759		13-18 NCR 1556							
18 NCAC 10 .0303	13-09 NCR 759		13-14 NCR 1153							
18 NCAC 10 .0304	13-09 NCR 759		13-14 NCR 1153							
18 NCAC 10 .0305	13-09 NCR 759		13-14 NCR 1153							
18 NCAC 10 .0306			13-18 NCR 1556							
18 NCAC 10 .0307			13-18 NCR 1556							

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18 NCAC 10 0401 13.09 NCR 759 13.14 NCR 1153  
 13.18 NCR 1556  
 18 NCAC 10 0402 13.09 NCR 759 13.14 NCR 1153  
 13.18 NCR 1556  
 18 NCAC 10 0501 13.09 NCR 759 13.14 NCR 1153  
 13.18 NCR 1556

## SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS

21 NCAC 64 0303 11.23 NCR 1780

## STATE PERSONNEL COMMISSION

25 NCAC 01B 0354 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01B 0414 13.18 NCR 1560 13.22 NCR 1850 \*

25 NCAC 01B 0434 13.18 NCR 1560 13.22 NCR 1850 \*

25 NCAC 01B 0437 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01C 0214 13.18 NCR 1560 13.22 NCR 1850 \*

25 NCAC 01D 2516 11.13 NCR 1062 11.19 NCR 1429 \*

25 NCAC 01D 2517 Temp Expired 12.09 NCR 835

25 NCAC 01H 0602 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01H 0605 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01H 0606 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01J 0503 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01J 0506 13.18 NCR 1560 13.22 NCR 1850 \*

25 NCAC 01J 0512 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01J 0603 13.05 NCR 436 13.09 NCR 773 \*

25 NCAC 01J 0603 13.18 NCR 1560 13.22 NCR 1850 \*

## SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD

21 NCAC 68 0305 12.09 NCR 745 12.11 NCR 944 S/L 04/15/98  
 05/21/98 \* 13.02 NCR 249

## TRANSPORTATION

### Highways, Division of

19A NCAC 02D 0406 12.22 NCR 1980 13.05 NCR 501 11/19/98 13.16 NCR 1265

19A NCAC 02D 0415 12.18 NCR 1694 12.24 NCR 2219 09/17/98 13.11 NCR 912

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19A NCAC 02D .0415	13-08 NCR 626		13-14 NCR 1116	*	Approve	04/15/99				
19A NCAC 02D .0816	12-19 NCR 1764		13-01 NCR 41	*	Object	09/17/98			13-11 NCR 912	
19A NCAC 02E .0221	13-04 NCR 361		13-10 NCR 811	*	Approve	10/22/98	*		13-14 NCR 1167	
19A NCAC 02E .0222	13-04 NCR 361		13-10 NCR 811	*	Approve	03/18/99	*			
19A NCAC 02E .0222	13-04 NCR 361		13-10 NCR 811	*	Approve	03/18/99				
<b>Motor Vehicles, Division of</b>										
19A NCAC 03I .0100	11-19 NCR 1413									
19A NCAC 03I .0200	11-19 NCR 1413									
19A NCAC 03I .0202	12-18 NCR 1695									
19A NCAC 03I .0203	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 03I .0207	13-16 NCR 1258		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 03I .0300	11-19 NCR 1413		13-22 NCR 1843	*						
19A NCAC 03I .0301	13-16 NCR 1258									
19A NCAC 03I .0302	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0307	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0400	11-19 NCR 1413									
19A NCAC 03I .0401	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0402	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0500	11-19 NCR 1413									
19A NCAC 03I .0501	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 03I .0501	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0502	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 03I .0503	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 03I .0600	11-19 NCR 1413									
19A NCAC 03I .0601	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0700	11-19 NCR 1413									
19A NCAC 03I .0701	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 03I .0800	11-19 NCR 1413									
19A NCAC 03I .0804	13-16 NCR 1258		13-22 NCR 1843	*						



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Rail Division										
19A NCAC 06B .0401	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0404	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98	*		13-17 NCR 1381	
19A NCAC 06B .0405	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0409	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0410	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0412	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0413	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98	*		13-17 NCR 1381	
19A NCAC 06B .0414	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0417	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0418	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
VETERINARY MEDICAL BOARD										
21 NCAC 66 .0207	12-23 NCR 2089									
21 NCAC 66 .0208	12-23 NCR 2089									

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